

Washington State Register

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CITATION

Cite all material in the Washington State Register by its issue number and sequence within that issue, preceded by the acronym WSR. Example: The 123rd item in the February, 1978, Register would be cited as WSR 78-02-123.

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Pursuant to RCW 34.08.040, the publication of rules or other information in this issue of the Washington State Register is hereby certified to be a true and correct copy of such rules or other information, except that headings of public meeting notices have been edited for uniformity of style.

DENNIS W. COOPER
Code Reviser

WASHINGTON STATE REGISTER

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STYLE AND FORMAT OF THE WASHINGTON STATE REGISTER

1. ARRANGEMENT OF THE REGISTER

Documents are arranged within each issue of the Register according to the order in which they are filed in the code reviser's office during the pertinent filing period. The three part number in the heading distinctively identifies each document, and the last part of the number indicates the filing sequence within an issue's material.

2. PROPOSED, ADOPTED, AND EMERGENCY RULES OF STATE AGENCIES AND INSTITUTIONS OF HIGHER EDUCATION

The three types of rule-making actions taken under the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW) may be distinguished by the size and style of type in which they appear.

- (a) **Proposed rules** are those rules pending permanent adoption by an agency and set forth in eight point type.
- (b) **Adopted rules** have been permanently adopted and are set forth in ten point type.
- (c) **Emergency rules** *have been adopted on an emergency basis and are set forth in ten point oblique type.*

3. PRINTING STYLE—INDICATION OF NEW OR DELETED MATTER

RCW 34.04.058 requires the use of certain marks to indicate amendments to existing agency rules. This style quickly and graphically portrays the current changes to existing rules as follows:

- (a) In amendatory sections—
 - (i) underlined matter is new matter;
 - (ii) deleted matter is (~~lined out and bracketed between double parentheses~~);
- (b) Complete new sections are prefaced by the heading **NEW SECTION**;
- (c) The repeal of an entire section is shown by listing its WAC section number and caption under the heading **REPEALER**.

4. EXECUTIVE ORDERS, COURT RULES, NOTICES OF PUBLIC MEETINGS

Material contained in the Register other than rule-making actions taken under the APA or the HEAPA does not necessarily conform to the style and format conventions described above. The headings of these other types of material have been edited for uniformity of style; otherwise the items are shown as nearly as possible in the form submitted to the code reviser's office.

5. EFFECTIVE DATE OF RULES

- (a) Permanently adopted agency rules take effect thirty days after the rules and the agency order adopting them are filed with the code reviser. This effective date may be delayed, but not advanced, and a delayed effective date will be noted in the promulgation statement preceding the text of the rule.
- (b) Emergency rules take effect upon filing with the code reviser and remain effective for a maximum of ninety days from that date.
- (c) Rules of the state Supreme Court generally contain an effective date clause in the order adopting the rules.

6. EDITORIAL CORRECTIONS

Material inserted by the code reviser for purposes of clarification or correction or to show the source or history of a document is enclosed in brackets [].

7. INDEX AND TABLES

A combined subject matter and agency index and a table of WAC sections affected may be found at the end of each issue.

1978—1979

DATES FOR REGISTER CLOSING, DISTRIBUTION, AND FIRST AGENCY ACTION

Issue No.	Distribution Date	First Agency Action Date ²	Closing Dates ¹		
			OTS ³ or 10 pages maximum (14 days)	Non-OTS and 11 to 29 pages (28 days)	Non-OTS and 30 pages or more (42 days)
78-07	Jul 19	Aug 8	Jul 5	Jun 21	Jun 7
78-08	Aug 16	Sep 5	Aug 2	Jul 19	Jul 5
78-09	Sep 20	Oct 10	Sep 6	Aug 23	Aug 9
78-10	Oct 18	Nov 7	Oct 4	Sep 20	Sep 6
78-11	Nov 15	Dec 5	Nov 1	Oct 18	Oct 4
78-12	Dec 20	Jan 9, 1979	Dec 6	Nov 22	Nov 8
79-01	Jan 17	Feb 6	Jan 3	Dec 20, 1978	Dec 6, 1978
79-02	Feb 21	Mar 13	Feb 7	Jan 24	Jan 10
79-03	Mar 21	Apr 10	Mar 7	Feb 21	Feb 7
79-04	Apr 18	May 8	Apr 4	Mar 21	Mar 7
79-05	May 16	Jun 5	May 2	Apr 18	Apr 14
79-06	Jun 20	Jul 10	Jun 6	May 23	May 9

¹All documents are due at the Code Reviser's Office by 5:00 p.m. on the applicable closing date for inclusion in a particular issue of the Register; see WAC 1-12-035 or 1-13-035.

²"No proceeding shall be held on any rule until twenty days have passed from the distribution date of the register in which notice thereof was contained." RCW 28B.19.030(2) and 34.04.025(2). These dates represent the twentieth day after the distribution date of the immediately preceding Register.

³OTS is the acronym used for the Order Typing Service offered by the Code Reviser's Office which is briefly explained in WAC 1-12-220 and WAC 1-13-240.

D. J. S.

WSR 78-08-086
ADOPTED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
[Order 1322—Filed July 28, 1978]

I, David Hogan, Exec. Assist. of the Department of Social and Health Services do promulgate and adopt at Olympia, Washington, the annexed rules relating to:

Rep ch. 248-136 WAC relating to methadone programs for opiate addiction.

Rep ch. 275-14 WAC relating to certificate of approval to a drug treatment center.

New ch. 275-18 WAC relating to standards for certification of approval for drug treatment centers.

Amd ch. 275-25 WAC relating to county plans for mental health, drug abuse, developmental disabilities and alcoholism.

This action is taken pursuant to Notice No. WSR 78-06-009 filed with the code reviser on 5/9/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 69.54.040 which directs that the secretary of the Department of Social and Health Services has authority to implement the provisions of chapter 69.54 RCW.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED July 26, 1978.

By David Hogan
Executive Assistant

REPEALER

The following sections of the Washington Administrative Code are hereby repealed:

- | | |
|----------------------------|--------------------------------------|
| (1) <u>WAC 275-14-010</u> | PURPOSE. |
| (2) <u>WAC 275-14-020</u> | DEFINITIONS. |
| (3) <u>WAC 275-14-030</u> | CERTIFICATE OF APPROVAL. |
| (4) <u>WAC 275-14-035</u> | RENEWAL OF CERTIFICATE OF APPROVAL. |
| (5) <u>WAC 275-14-040</u> | ISSUANCE AND RENEWAL OF CERTIFICATE. |
| (6) <u>WAC 275-14-050</u> | REVOCATION-DENIAL OF CERTIFICATE. |
| (7) <u>WAC 275-14-055</u> | PROVISIONAL CERTIFICATE. |
| (8) <u>WAC 275-14-060</u> | HEARING. |
| (9) <u>WAC 275-14-070</u> | EVALUATION. |
| (10) <u>WAC 275-14-080</u> | DIRECTOR. |
| (11) <u>WAC 275-14-090</u> | STAFFING. |
| (12) <u>WAC 275-14-100</u> | STAFF TRAINING AND QUALIFICATIONS. |
| (13) <u>WAC 275-14-110</u> | SUBMISSION OF APPLICATIONS. |
| (14) <u>WAC 275-14-120</u> | BOARD OF DIRECTORS. |
| (15) <u>WAC 275-14-130</u> | EXPLANATION OF PROGRAM. |
| (16) <u>WAC 275-14-140</u> | MEDICAL. |

- | | |
|--|--------------------------------|
| (17) <u>WAC 275-14-150</u> | DRUGS. |
| (18) <u>WAC 275-14-160</u> | TREATMENT OF JUVENILES. |
| (19) <u>WAC 275-14-170</u> | NONDISCRIMINATION. |
| (20) <u>WAC 275-14-180</u> | NONTRANSFERABILITY. |
| (21) <u>WAC 275-14-190</u> | PUBLIC FUNDS. |
| (22) <u>WAC 275-14-200</u> | COMPLIANCE WITH LAWS. |
| (23) <u>WAC 275-14-210</u> | SEVERABILITY. |
| (24) <u>WAC 248-136-110</u> | PURPOSES. |
| (25) <u>WAC 248-136-120</u> | STATE AUTHORITY. |
| (26) <u>WAC 248-136-130</u> | ADJUNCTIVE SERVICES. |
| (27) <u>WAC 248-136-140</u> | INCARCERATED CLIENTS. |
| (28) <u>WAC 248-136-150</u> | CLIENTS' TAKE-HOME MEDICATION. |
| (29) <u>WAC 248-136-160</u> | CLIENT CASELOAD. |
| (30) <u>WAC 248-136-170</u> | EMPLOYMENT AND TRAINING. |
| (31) <u>WAC 248-136-180</u> | MEDICAL TREATMENT. |
| (32) <u>WAC 248-136-990</u> | AUTHORITY. |
| (33) APPENDIX A to CHAPTER 248-136 WAC | |

Chapter 275-18 WAC STANDARDS FOR CERTIFICATION OF APPROVAL FOR DRUG TREATMENT CENTERS

NEW SECTION

WAC 275-18-010 AUTHORITY. These regulations are adopted pursuant to and in accordance with chapter 69.54 RCW.

NEW SECTION

WAC 275-18-020 DEFINITIONS. (1) "Drug abuse treatment professional" shall mean a person who is capable of assessing the emotional, social and behavioral background and status of a client, determining the optimal treatment plan, and providing and supervising the counseling services necessary to carry out the plan. Two years of full-time equivalent experience as a drug treatment staff person under the supervision of a person qualified to be a drug treatment professional, or a masters or doctoral degree in the behavioral sciences and one year of such experience, shall be sufficient to establish a person as qualified to be a drug abuse treatment professional.

(2) "Medical practitioner" shall mean a person licensed by the state pursuant to chapter 18.71 RCW to practice medicine, or pursuant to chapter 18.57 RCW to practice osteopathy and surgery, and who is registered with the drug enforcement administration to prescribe controlled substances. The term shall also include a physician's assistant approved by the state pursuant to chapter 18.71A RCW, an advanced registered nurse or specialized registered nurse with an appropriate specialty licensed pursuant to chapter 18.88 RCW and approved by the state pursuant to chapter 308.120 WAC,

or an osteopathic physician's assistant approved by the state pursuant to chapter 18.57A RCW, when practicing within the limits of their profession and under the supervision of a physician or osteopathic physician and surgeon who is registered by the drug enforcement administration to prescribe controlled substances.

Reviser's Note: The typographical errors in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

NEW SECTION

WAC 275-18-030 CERTIFICATION OF APPROVAL. (1) Any agency or organization which receives or intends to receive state or federal funds for the purpose of providing care, treatment or rehabilitation for drug abuse problems, or which advertises or represents itself as providing care, treatment or rehabilitation for drug abuse problems, must apply to the department for approval as a drug treatment center.

(2) No agency or organization may provide drug abuse treatment unless it is approved by the department as a drug treatment center. The department may waive the requirements of this subsection where it determines that such treatment is incidental to the provision of other services, and is not a primary function of the agency.

(3) The department shall visit and examine each facility making application for approval as a drug treatment center.

(4) If the department finds that the applicant organization meets the requirements of this chapter and chapter 69.54 RCW, based on the application, the site visit and such other reports and information as may be available, it may certify the applicant organization as an approved drug treatment center. Such approval shall be for a period of not more than one year, and may be renewed in the same manner as the original certification of approval. The certification shall specify the modalities of service for which approval is granted.

(5) In individual cases the department may waive, at its discretion, specific rules which are inappropriate because of the cultural patterns of the persons served or for other reasons, and may approve alternate methods of achieving the intent of the specific rule, if such waiver does not endanger the safety or welfare of any persons in care. Such waivers may be granted on a temporary basis to allow reasonable time to achieve compliance, if a plan and timetable for compliance is approved by the department. Approvals granted pursuant to this paragraph shall be provisional on meeting the specifications of the alternate standard or timetable.

(6) The department may deny approval to any applicant, or revoke approval of any drug treatment center, if it determines that the applicant or drug treatment center is not complying with the provisions of this chapter or chapter 69.54 RCW, or fails to meet the timelines or alternate methods granted under subsection (5). Such denial or revocation may be appealed pursuant to chapter 34.04 RCW and rules promulgated thereunder. Any such applicant or center may apply again for approval at any time.

NEW SECTION

WAC 275-18-040 TREATMENT CLINICAL REQUIREMENTS. (1) All approved drug treatment centers providing drug treatment services shall have the capacity to provide both individual and group counseling services by a drug abuse treatment professional or qualified treatment staff person under the direct supervision of a drug abuse treatment professional. Except for situations beyond the control of both the client and the program, and so documented in the client record, there shall be at least one face-to-face group or individual event for each client every month, and at least one such event every week for residential and day treatment services, lasting at least 45 minutes.

(2) For all approved drug treatment centers providing drug treatment services, there shall be a review of each case by a drug abuse treatment professional at least every 90 days, assessing the adequacy of the treatment plan in light of the client's current status and progress.

(3) All types of treatment services using chemotherapy, including the use of psychotropics, shall provide the following medication services:

(a) Medication evaluation by a medical practitioner, at least once every 90 days, and

(b) If a detoxification or maintenance service, medication dispensary.

(4) If urinalysis is used, sample collection, analysis and policies regarding use of results shall meet department standards.

(5) Day treatment and residential treatment services shall provide activities therapy on a scheduled basis by a qualified staff person for all clients at least three times a week. Schedules shall allow for adequate exercise and sleep.

(6) Residential treatment services shall provide room, board and client sundries as needed, with the following minimum requirements:

(a) All food service facilities and practices shall comply with chapter 248-84 WAC, governing food service sanitation.

(b) Foods served shall meet the nutritional needs of clients, considering age, sex, activity level and special medical needs. Meals shall be well-balanced, palatable, properly prepared and sufficient in quality and quantity to meet the 1974 dietary allowances of the food and nutrition board, national research council.

(c) Menus for general diets and any special or modified therapeutic diets shall be prepared at least a week in advance and retained for inspection by the department for at least one year.

(d) Table service shall be available to those who can and will eat at a table. Meals shall be served three times each day, at the customary meal times, whenever clients are present in the facility.

(e) Sundries shall include items reasonably needed for good grooming and personal hygiene, and clothing that is neat, clean and seasonable.

(f) Sleeping arrangements shall provide for separation of sleeping areas from cooking, eating, therapy and administrative activities; adequate heating, ventilation, access to emergency exits and bedding shall be provided to assure the health and safety of the clients.

(7) Approved drug treatment programs shall assure availability, directly or by referral, of employment placement and educational and vocational guidance services and, when necessary, psychiatric services and therapy.

(8) The physical plant, premises and equipment shall be maintained in a clean and sanitary condition, free of hazards and in good repair. The facility shall be located in an area free from hazardous conditions and accessible to other resources necessary to carry out the program. Facilities shall comply with applicable local building, fire and health codes.

NEW SECTION

WAC 275-18-050 TREATMENT INTAKE REQUIREMENTS. (1) Approved drug treatment centers providing treatment services shall provide the following intake services to every client admitted, completed within 45 days of initiation of treatment services:

(a) An intake interview, conducted by a drug abuse treatment professional or other qualified staff under the close supervision of a drug abuse treatment professional, which shall include a social history, a health history, and a history of drug abuse and previous drug treatment;

(b) A clinical assessment of the applicant's problems, situation and prognosis with and without treatment, signed by the drug abuse treatment professional in subsection (1)(a);

(c) A treatment plan which includes the type and amount of services to be provided, the specific problems to be addressed or objectives to be attained, and the anticipated length of stay, completed or approved by a drug abuse treatment professional and agreed to by the client;

(d) A copy of the policies and rules of the program will be provided to the applicant prior to signing any consent forms, and ample opportunity provided to read the policies and rules and ask pertinent questions.

(2) In inpatient, residential and day treatment services, or where chemotherapy is provided, or in other treatment services where indicated by the client's health history or status, a medical intake must be conducted which shall include:

(a) A complete physical examination by a medical practitioner as soon as practical, and in no case later than 21 days after admission, with particular attention paid to those conditions which would represent a threat to the health of the client or other clients in light of the treatment methods employed. Female clients should receive a gynecological examination and an evaluation of the need for contraceptive services if such services have not been received in the last 12 months.

(b) A laboratory examination as prescribed by the medical practitioner in accordance with the provisions of the department.

(c) A report by the medical practitioner of current medical findings, diagnosis, and orders for the immediate care of the client.

NEW SECTION

WAC 275-18-060 MEDICATION. (1) When medication is being considered as part of the treatment regimen, the client's treatment plan shall be reviewed by a medical practitioner who is trained in the use of the medication under consideration.

(2) Drugs prescribed pursuant to treatment plans shall be controlled and monitored by drug abuse treatment professionals. Only a medical practitioner, a registered nurse, or the client may administer medication.

(3) Residential and inpatient treatment services shall store all medications in a locked cabinet or similar container.

(4) Methadone treatment clients carrying take-home methadone between the program site and the individual client's residence shall carry such medication properly labeled to include the name and address of the methadone treatment program, the date the medication was prescribed, the name of the person for whom the medication is intended, instructions for use of the medication, the name of the prescribing physician, and the name of the drug.

NEW SECTION

WAC 275-18-070 CLIENT CASELOAD. The maximum clientele of any methadone treatment facility shall not exceed 250 persons, except in emergency situations as approved by the department.

NEW SECTION

WAC 275-18-080 INCARCERATED CLIENTS. In those instances where a person, previously accepted as a client in a methadone program, is incarcerated, it shall be permissible for a properly authorized, qualified representative of such methadone program to enter the facility in which the person is incarcerated and to dispense methadone for either detoxification or maintenance purposes during the period of incarceration or until a medically acceptable detoxification has been accomplished; provided, that such entry into an incarcerating facility and dispensing of methadone shall be subject to the permission of the authority operating the facility and shall be made in accordance with regulations of the facility. Proper precautions shall be taken to prevent unauthorized persons from handling methadone or persons other than the intended client from receiving methadone.

NEW SECTION

WAC 275-18-090 DISCHARGE AND FOLLOW-UP. (1) Each approved drug treatment center shall establish criteria and procedures for client completion and termination of treatment. Procedures shall include appeal and a fair and impartial review of involuntary terminations. Completion, once conferred, may not be revoked.

(2) Each approved drug treatment center shall establish a follow-up policy which provides for contact to be attempted after discharge with each client completing treatment.

(3) Clients not seen face to face at least once every thirty days must be discharged effective on the thirtieth day following the last face-to-face contact, unless lack of contact is due to conditions beyond the control of the client and the approved drug treatment center and the reason is documented in the client record. Discharged clients may be seen on an after-care or follow-up basis without readmission, at a frequency less than once every thirty days.

NEW SECTION

WAC 275-18-100 REPORTING. (1) Each approved drug treatment center shall submit in a timely and accurate manner such reports as may be required by the county drug abuse coordinator to prepare a county plan or performance and status report, or by the department to prepare the state plan or to effectively administer the drug abuse program.

(2) Each approved drug treatment center shall submit upon request a progress report at least quarterly to approved screening and referral and criminal justice diversion programs on each client referred by such programs, and permit a face-to-face interview at least once every six months of such clients by the referring agency, subject to the provisions of WAC 275-18-130.

NEW SECTION

WAC 275-18-110 INTERVENTION CLINICAL REQUIREMENTS. (1) Approved drug treatment centers providing intervention services shall have a current list of available services, including all approved drug treatment centers in the state, and local services, if any, for legal, employment, education, training, mental health and physical health problems.

(2) All intervention services except casefinding shall be provided by a drug abuse treatment professional or a qualified person under the supervision of a drug abuse treatment professional.

(3) Emergency services shall be available 24 hours a day, seven days a week. Emergency services may include crisis telephone service, emergency medical, and mobile emergency services.

(4) Screening and referral services and criminal justice diversion services shall meet the intake standards of WAC 275-18-050(1)(a), (1)(b) and (1)(c). Clients referred to an approved drug treatment center and returned to the screening and referral service or criminal justice diversion service shall be given priority attention. Every reasonable effort shall be made to handle such clients expeditiously and re-refer within 72 hours of their intake, with close attention to their needs during the re-referral period.

(5) Criminal justice diversion services shall monitor progress of referred clients at least quarterly. A face-to-face interview with the client for the purpose of reviewing the adequacy of current and planned services in light of current client needs shall be conducted at least once

every six months. Adequate liaison and client advocacy with appropriate elements of the criminal justice system shall be maintained for each client still active with a treatment program.

NEW SECTION

WAC 275-18-120 CLINICAL RECORDS. (1) Approved drug treatment centers providing treatment services shall maintain a clinical record on each client. Each record shall contain at a minimum the following:

(a) A client history, remote and recent insofar as pertinent to the current need for treatment;

(b) Diagnostic/evaluative statements, including reports of any special studies, psychological testing, laboratory examinations, physical examinations, etc.;

(c) For clients receiving methadone, a "consent to methadone treatment" form signed by the client and a record of medications dispensed;

(d) A treatment plan, describing direct client services and medications to be provided or prescribed to the client in response to problems at intake or arising in the course of therapy;

(e) Any "release of information" consent forms signed by the client;

(f) Progress notes for each occasion of medication adjustment, individual, family or group therapy, and summaries at least weekly for day treatment and residential services;

(g) Reports of case conferences or significant collaborative contacts;

(h) Reports of significant new problems, and modifications needed in treatment plan;

(i) Quarterly summaries of progress and status, including results of quarterly case reviews; and

(j) Reports of follow-up attempts and contacts.

(2) Intervention services shall maintain clinical records as follows:

(a) Casefinding services shall maintain records of the number of contacts made, the ethnic, gender and age distribution of contacts, the number of subsequent admissions and such other data as is pertinent to the objectives of the casefinding program;

(b) Emergency services shall maintain clinical records of each client contact, including where known the name, age, sex and race of the client, the problem presented, the services provided, and the immediate outcome.

(c) Screening and referral services shall maintain clinical records of each client, including subsections (1)(a), (1)(b), (1)(d), (1)(e), and (1)(j).

(d) Criminal justice diversion service shall maintain all record components described in subsection (1), except subsections (1)(c) and (1)(f).

NEW SECTION

WAC 275-18-130 AVAILABILITY OF RECORDS FOR INSPECTION AND CONFIDENTIALITY OF CLINICAL RECORDS. (1) General records of operation of an approved drug treatment center shall be available for inspection by the department on request. Such records shall include all policy and procedure documents required herein, clinical records,

fiscal records, personnel records, meeting minutes and such other documents as may be needed to verify the provision of services and compliance with these regulations.

(2) All records relating to the identity, status, whereabouts, diagnosis, treatment, or urinalysis results of a drug abuse client of an approved drug treatment center that are maintained by the department, the approved drug treatment center, or any agency providing services pursuant to WAC 275-18-190, and all information contained in such records, including any indication of whether or not any individual has applied for or received drug abuse related services, shall be confidential and may only be disclosed as expressly authorized in this section.

(3) The records or information described in subsection (2) may be disclosed with the client's written consent to medical personnel or bona fide treatment staff of an approved drug treatment center for the purpose of diagnosis and treatment of the client, to the client's attorney, or to government or private officials for the purpose of determining the client's right to or eligibility for benefits related to his own drug involvement. Each disclosure under this paragraph shall be made only after a prior written consent is signed and dated by the client, bearing the client's name, the name of the agency or facility disclosing the information, the name of the person to whom the information is disclosed, the purpose of the disclosure, the specific type of information to be disclosed, a statement that the consent is subject to written revocation at any time, an expiration date not later than that reasonably necessary to accomplish the stated purpose of the disclosure, the signature of the parent or legal guardian if client is under age 14, and the signature of the administrator of the program making the disclosure. A copy of such consent forms shall be maintained in the client's record. Only information necessary to satisfy the purpose of the disclosure may be disclosed.

(4) The records or information described in subsection (2) may be disclosed without consent of the client to a qualified medical authority or to a mental health professional working pursuant to chapter 71.05 RCW who has determined that the life or health of the client is in danger, that treatment without the records or information could be injurious to the client, and that timely consent of the client is not possible. The disclosure shall be limited to information necessary to meet the medical emergency.

(5) The records or information described in subsection (2) may be disclosed without the consent of the client to persons authorized by the department for the purposes of conducting program evaluation, management or fiscal audit, or scientific research into the causes and treatment of drug abuse. Information or records so disclosed shall not be removed from the agency unless all client identifying information is deleted or disguised.

(6) Where a client commits or threatens to commit a crime on the premises or against staff of the approved drug treatment center, nothing in this section shall be construed as prohibiting staff from seeking the assistance of, or reporting such a crime to, a law enforcement

agency, but such report shall not identify any suspect as a client nor disclose any information about any client not essential to the investigation.

(7) In each instance of disclosure, the agency or person making the disclosure shall advise the recipient that such information or records are confidential under federal and state law, and may not be further disclosed to any other person except as provided for in federal and state regulations.

(8) Clinical records described in WAC 275-18-120 shall be maintained a minimum of five years after discharge.

(9) In the event an approved drug treatment center is closed, clinical records may be forwarded to any other approved drug treatment center with the client's consent. Clinical records still subject to minimum retention requirements, where client consent is not obtained, shall be sealed and labeled as follows: "Records of (insert name of approved drug treatment center) required to be maintained pursuant to WAC 275-18-130, until (insert minimum destruction date)." Sealed records shall be forwarded to the department, and shall be disclosed only under such circumstances and to such extent as would be permissible for the program in which they originated. The department shall destroy the records as soon as possible after the date specified on the label.

NEW SECTION

WAC 275-18-140 GOVERNANCE. (1) Approved drug treatment centers which are private corporations shall have a board of directors that has final authority and responsibility for the program. The board of directors shall meet at least quarterly and keep minutes. No member of the board of directors shall benefit financially from the operation of the agency, or be a spouse, parent, sibling or offspring of a person so benefiting, except for reasonable reimbursement for expenses incurred in performing the duties of a board member. Composition of the board shall reflect the composition of the community from which the program's clients come, to the extent feasible.

(2) Approved drug treatment centers which are public agencies shall have an advisory board that meets the standards set forth in subsection (1) for boards of directors except that advisory boards shall not have final authority and responsibility for the program.

NEW SECTION

WAC 275-18-150 FISCAL MANAGEMENT. (1) Each year there shall be prepared a formal, written budget of expected program revenues, which shall be categorized by source, and expenses, which shall be categorized by program components and/or program services. Said budget must be reviewed and approved by the board of directors of the approved drug treatment center prior to the beginning of each fiscal year of operation, and may not be modified, altered or amended without the board of directors' prior approval.

(2) There shall be a fiscal management system providing for the application of cost accounting procedures.

The cost accounting procedures shall produce information that reflects the fiscal experience and current financial position of the approved drug treatment center. The cost accounting procedure shall have the capacity to determine the direct and indirect costs attributable to each program component of the approved drug treatment center. Documentation shall be provided that describes the mechanism used to determine the basis for allocating costs.

(3) Financial records must be available for audit by the department.

(4) Where the clients are charged for services, there shall be a written fee schedule based on ability to pay. The rate and charge policies shall be approved by the board of directors. This fee schedule shall be readily accessible to clients. No client shall be refused service because of inability to pay.

(5) There shall be a reporting mechanism that provides information regarding the fiscal performance of the approved drug treatment center which:

(a) Shows the relationship of budget and actual expenditures, including both revenues and expenses by category;

(b) Includes, based upon the cost accounting system, such information as cost per unit of service, cost per client day and cost per client.

NEW SECTION

WAC 275-18-160 PROGRAM EVALUATION.

(1) Approved drug treatment centers shall have an evaluation procedure that measures progress toward predetermined goals and objectives. Each approved drug treatment center shall adopt both short and long-range goals that are realistic and operationally defined.

(2) Evaluation reports shall be made at least annually, and shall be available for inspection by the department.

NEW SECTION

WAC 275-18-170 STAFFING. (1) All approved drug treatment centers shall have, and must adhere to, written personnel policies covering the qualifications of staff, job descriptions, hours of work, rate of pay, personnel benefits, hiring practices, termination procedures, promotional requirements, leave days, evaluation procedures and grievance procedures. Said personnel policies must be provided to all employees.

(2) Approved drug treatment centers must maintain personnel records for each employee, and employees shall have access to his or her own records. Each record shall contain, at a minimum, an employment application, all employee evaluations, all records of pertinent training received, all appropriate consent forms and a statement of reasons for termination if the individual is no longer employed.

(3) Approved drug treatment centers shall comply with federal and state statutory and regulatory provisions regarding nondiscrimination and affirmative action in employment and client services.

(4) All staff of approved drug treatment centers must be evaluated at least annually.

(5) Employees who are present or former clients of the approved drug treatment center shall have personnel records separate from clinical records. No indication of client status or client activity, including urinalysis results, may be entered in the personnel record of such an employee.

(6) Exclusion from employment shall not be based on former drug use, former mental dysfunction or former criminal convictions.

(7) There shall be a formal grievance procedure for staff complaints and appeal of personnel actions, which shall provide for fair and impartial review of personnel policies, actions and other decisions affecting staff.

(8) All approved drug treatment centers shall make available to each staff person with clinical duties a minimum of 100 hours of in-service training, pertinent academic training and case consultation per year. Records of training and case consultation offered and received must be maintained.

(9) Approved drug treatment programs shall provide sufficient staff to permit each staff person at least two days off per week, and at least 25% of their work week in activities other than direct client services.

(10) The ratio of full-time equivalent counseling staff to clients shall not exceed the following:

(a) Outpatient treatment: 35 clients per full-time equivalent counseling staff.

(b) Residential treatment: 15 clients per full-time equivalent counseling staff.

(c) Day treatment: 8 clients per full-time equivalent counseling staff. Follow-up and after-care clients shall not be included in calculating these ratios.

(11) A responsible staff member shall be present and on duty at any time when a client is permitted on the premises of the program.

(12) No addict or ex-addict shall be employed as a counselor in a methadone treatment program from which he is receiving treatment. Treatment shall include receiving medications and/or counseling services.

(13) All clinical services shall be under the direction of a drug abuse treatment professional. All staff who are not themselves drug abuse treatment professionals shall be under the supervision of a drug abuse treatment professional when performing clinical duties.

NEW SECTION

WAC 275-18-180 AVAILABILITY OF SERVICES. (1) Approved drug treatment programs shall make services available during off hours to clients who are not able to receive services during the usual 9:00 a.m. to 5:00 p.m. work day.

(2) Approved drug treatment centers offering residential and emergency services must provide for access to services 24 hours a day, seven days a week.

(3) No otherwise eligible client may be denied services because of physical or sensory handicap, marital status, religion, race, sex, age, sexual preference, or current legal status. Clients under the age of fourteen may be refused services, or under age eighteen for residential services, if consent of parent or other legal guardian

cannot be obtained. Ineligibility for methadone treatment by virtue of age, pursuant to federal law and regulation, shall also constitute an exception to this requirement.

NEW SECTION

WAC 275-18-190 REQUIRED SERVICES PROVIDED BY OTHER AGENCIES. (1) Services required by this chapter of approved drug treatment centers may be provided by an agency not under direct administrative control of the approved drug treatment center, provided that a written agreement is entered into between the approved drug treatment center and that agency, which shall include the services provided, the unit cost and total cost, if any, the duration of the agreement, the minimum and/or maximum available service, the procedures for referral, an assurance of confidentiality, the method for transmitting client information, and the division of responsibility for care. The approved drug treatment center shall retain responsibility for assuring that these regulations are complied with. Written agreements are not required where the rule permits the service to be provided by referral.

(2) Prior approval of the department of the agreement described in subsection (1) is required when state funds are subcontracted to fulfill such an agreement.

(3) The approved drug treatment center shall inform any agency providing clinical services to program clients, or otherwise able to access confidential client information, of the obligations, restrictions and procedures with respect to disclosure of such information.

(4) If services required by WAC 275-18-040 (1), (2) or (5), WAC 275-18-050 (1) or WAC 275-18-110 (4) or (5) are provided by agreement pursuant to subsection (1), the agency providing such services must be an approved drug treatment center.

NEW SECTION

WAC 275-18-200 CLIENT RIGHTS. (1) All approved drug treatment centers shall adopt and adhere to written policies and procedures to assuring the right of each client to:

(a) Be treated in a manner that promotes dignity and self-respect;

(b) Be protected from invasion of privacy; PROVIDED, That, reasonable searches may be conducted in the client's presence to detect and prevent contraband from being brought in or possessed on the premises;

(c) Have all clinical and personal information treated confidentially in communications with individuals not directly associated with the approved drug treatment center;

(d) Actively participate in the development or modification of the client's own treatment regimen;

(e) Review his or her own treatment records with the responsible treatment staff person upon request once every three months, except medication records;

(f) Be fully informed regarding fees to be charged and methods of payment available;

(g) Be provided reasonable opportunity to practice the religion of his or her choice, alone and in private, insofar

as such religious practice does not infringe on the rights and treatment of others, and to be excused from any religious practice;

(h) Not be denied communication with significant others in emergency situations;

(i) Not be subjected to physical abuse, corporal punishment, or denied food, clothing or other basic necessities;

(j) Not be denied the choice to enter into or dissolve a marriage; PROVIDED, That, the approved drug treatment center is not obligated to make special provisions for conjugal visits or sleeping quarters.

(2) No posted mail, telegrams, phone calls or other forms of private communication shall be monitored, censored, opened or otherwise reviewed by anyone other than the addressee or intended recipient of same; PROVIDED, That, mail, telegrams, phone calls and all other forms of private communication may be prohibited, except as provided in subsection (1)(h), when such prohibition is the policy of the agency. All mail or other tangible forms of communication intended for clients denied said privileges must be returned unopened to the sender, or retained unopened in a secure place for the client when said privileges are reinstated.

(3) No client shall be used to carry the basic responsibility for maintenance of the facility or treatment. However, duties such as household tasks, office work and facility repairs may be performed insofar as they are appropriate to the program and are clearly indicated in the treatment plan as essential for the treatment of the client.

(4) Policy and procedures for fair and impartial hearing of client grievances regarding these rights and agency decisions affecting the client's welfare or status as a client must be adopted and adhered to.

(5) A copy of the agency policy regarding subsections (1), (2), (3) and (4) shall be signed by each client and maintained in the clinical record.

(6) Nothing herein shall restrict or prohibit an agency from providing advice or counsel on matters relating to a client's decision to exercise any of the rights set forth in this section.

Chapter 275-25 WAC COUNTY PLAN FOR MENTAL HEALTH, DRUG ABUSE DEVELOPMENTAL DISABILITIES, AL- COHOLISM

AMENDATORY SECTION (Amending Order 1142, filed 8/12/76)

WAC 275-25-010 DEFINITIONS. (1) All terms used in this chapter which are not defined herein shall have the same meaning as indicated in the act.

(2) "Act" means:

(a) The Alcoholism Act (chapter 70.96 and 70.96A RCW) as now existing or hereafter amended, or

(b) The State and Local Services for Mentally Retarded and Developmentally Disabled Act (chapter 71-.20 RCW) as now existing or hereafter amended, or

(c) The Community Mental Health Services Act (chapter 71.24 RCW) as now existing or hereafter amended(:()), or

(d) Drug and Alcohol Rehabilitation, Education Program—Drug Treatment Centers (chapter 69.54 RCW) as now existing or hereafter amended.

(3) "County" means each county or two or more counties acting jointly.

(4) "Department" means the department of social and health services.

(5) "Indian" shall mean any

(a) Person who is enrolled in or who is eligible for enrollment in a recognized Indian tribe; any person determined to be or eligible to be found to be an Indian by the secretary of the interior; and any Eskimo, Aleut or other Alaskan native.

(b) Canadian Indian person who is a member of a treaty tribe, Metis community or other non-status Indian community from Canada.

(c) Unenrolled Indian person who is considered to be an Indian by a federally or non-federally recognized Indian tribe ((or the urban Indian/Alaska community)) an urban Indian/Alaskan Native community organization.

(6) "Plan" means the application a county submitted to the secretary for review and approval under the act(s); or an annual revision of an existing plan.

(7) "Population" means the aggregate number of persons located in the designated county as computed by the United States census bureau in accordance with that agency's latest report, or of the office of program planning and fiscal management.

(8) "Secretary" means the secretary of the department or such employee or such unit of the department as the secretary may designate.

AMENDATORY SECTION (Amending Order 1142, filed 8/12/76)

WAC 275-25-020 PLAN DEVELOPMENT AND SUBMISSION. (1) All dates in this section refer to the year preceding the calendar year covered by the plan.

(2) The requirements of this section shall apply to the following program areas:

- (a) Mental health
- (b) Drug ((treatment)) abuse
- (c) Developmental disabilities
- (d) Alcoholism.

(3) The secretary shall announce the amount of funds available to each county for each program area no later than August 1.

(4) Each county or combination of counties shall submit a preliminary plan for each program area to the secretary no later than October 1, including the following data:

- (a) A statement of priorities;
- (b) A precise and definitive work statement, including a listing of all program components, anticipated services and subcontractors; their relationship to the priority statement, and the method(s) for integrating the various program components and services;
- (c) A forecast of all revenues and expenditures;
- (d) An evaluation of the current years plan.
- (e) A county and/or agency client participation schedule based on client ability to pay: PROVIDED, That, no client may be denied service because of inability to pay.

(5) The preliminary plan shall be accompanied by a letter of transmittal signed by the county governing body or county executive. Such transmittal shall not be construed as approval or adoption of the preliminary plan by the county governing body or county executive.

(6) The secretary shall make written comment to each county regarding the preliminary plan within thirty (30) days after receipt of the plan.

(7) Each county shall submit its final plan for each program area immediately after its adoption by the county governing body, but in no case later than December 15. The final plan shall include all of the data items in WAC 275-25-020(4) except that the forecast of revenues and expenditures shall be replaced by the adopted budget.

(8) The secretary may request such additional information and documentation, or changes in the plan, as are reasonably necessary prior to granting approval or denial.

(9) The secretary may grant provisional approval of an adopted plan, or portion of an adopted plan, and require the applicant to revise the adopted plan prior to granting approval.

(10) The secretary shall inform the county of the approval, provisional approval, or denial of an adopted plan within thirty (30) days after receipt of the plan.

(11) A county whose adopted plan has been approved by the secretary may submit a modified plan to the secretary for review and approval at any time.

(12) Preparation, submission, and processing of a county's plan shall not be delayed due to any appeal, administrative review, or proceedings pursuant to the Administrative Procedure((s)) Act.

AMENDATORY SECTION (Amending order 1142, filed 8/12/76)

WAC 275-25-700 MENTAL HEALTH ((AND DRUG TREATMENT)) PROGRAMS—WAC SECTION NUMBERS. WAC 275-25-700 through ((275-25-999)) 275-25-799 shall apply to the mental health ((and drug treatment programs)) program.

AMENDATORY SECTION (Amending Order 1142, filed 8/12/76)

WAC 275-25-720 PRIORITIES. (1) The plan for the provision of county mental health services shall give priority to the seriously disturbed of all ages and shall also address children and their families, the elderly, the economically disadvantaged, Indians, minorities and high risk groups.

((2) The plan for the provision of drug treatment services shall give priority to serious drug abusers of all ages.))

((3))) (2) The plan shall ensure that appropriate provisions are made to priority groups before state monies are allocated to other service needs.

AMENDATORY SECTION (Amending Order 1142, filed 8/12/76)

WAC 275-25-730 SERVICES—MENTAL HEALTH AND DRUGS. The plan shall address service requirements in each of the following areas. Where direct provision of the service by the county is not appropriate, the plan shall so state and specify what other arrangements are available for county residents:

- (1) Emergency.
- (2) Inpatient.
- (3) Outpatient.
- (4) Day treatment.
- (5) Consultation/education.
- ((6) Methadone maintenance/detoxification:))

AMENDATORY SECTION (Amending Order 1142, filed 8/12/76)

WAC 275-25-750 STAFFING REQUIREMENTS. Each agency providing any of the following services shall ensure that:

((a)) (1) Mental health service directed primarily to persons under age 18 is provided under the direction of a child mental health specialist;

((b)) (2) Mental health service directed primarily to persons ages 18 through 59 is provided under the direction of a community mental health specialist;

((c)) (3) Mental health service directed primarily to persons sixty years of age or over is provided under the direction of a geriatric mental health specialist;

((d)) (4) Clinical staff, who are not ((drug treatment or)) mental health specialists, receive regular supervision and/or consultation from a ((drug treatment or)) mental health specialist ((respectively));

((e)) (5) Of the staff providing direct ((drug treatment or)) mental health services at least one must be a ((drug treatment or)) mental health specialist ((respectively));

((f)) (6) Day treatment service has a minimum of one staff for every four clients under age 13, a minimum of one staff for every six clients ages 14 through 17, and a minimum of one staff for every eight clients age 18 or over.

AMENDATORY SECTION (Amending Order 1142, filed 8/12/76)

WAC 275-25-770 FUNDING FORMULA—MENTAL HEALTH. The annual allocation of funds to counties shall be based on the following criteria:

(1) The department may withhold up to ten percent of allocated funds to provide funding for new programs, for statewide priority programs, and for emergency needs.

(2) Each county shall be guaranteed fifteen thousand dollars for basic mental health services, ((and five thousand dollars for basic drug treatment services;)) subject to the availability of state and federal funds.

(3) The remainder of the funds shall be distributed on a county per capita basis, provided that, no county will receive less moneys than it received in calendar year 1976 subject to the availability of funds.

(4) Funds for the administration of the Involuntary Treatment Act shall be disbursed to the counties under a

contract separate from the mental health/drug treatment general award. This requirement can be waived at the request of any county.

NEW SECTION

WAC 275-25-800 APPLICABILITY—WAC SECTION NUMBERS. WAC 275-25-800 through 275-25-899 shall apply to drug abuse programs.

NEW SECTION

WAC 275-25-810 DRUG ABUSE SERVICES.

(1) The plan for each county or combination of counties shall address service requirements for each of the following modalities:

- (a) Outpatient treatment services,
- (b) Day treatment services,
- (c) Residential treatment services,
- (d) Inpatient treatment services,
- (e) Prison/jail treatment services,
- (f) Rehabilitation services,
- (g) Intervention services,
- (h) Prevention services, and
- (i) Support services.

Where provision of a service within the county is not appropriate, the plan shall specify how the service will be made available to county residents.

(2) Each preliminary and final county plan shall include all of the following services:

- (a) Outpatient individual therapy,
- (b) Emergency treatment for acute toxicity, and
- (c) Screening and referral to appropriate local or statewide facilities.

(3) Each preliminary and final county plan shall include a prevention effort budgeted to be at least 10% of the amount awarded to the county under WAC 275-25-840.

NEW SECTION

WAC 275-25-820 ANNUAL PERFORMANCE AND STATUS REPORT. Each county or combination of counties shall submit a performance and status report no later than March 15 of each year, which shall include a report on previous year activity, information on the need for services and descriptions of current service delivery capability.

NEW SECTION

WAC 275-25-830 COUNTY MANAGEMENT.

(1) Each county or combination of counties shall designate in the county plan an individual as the county drug abuse coordinator, who shall assist in the preparation of the annual county plan and the annual performance and status report and administer the county drug abuse program.

(2) Each county or combination of counties shall have a county drug abuse board appointed by the county legislative body or bodies, which will advise the county legislative body or bodies and the county drug abuse coordinator on preparation and administration of the annual county plan and the preparation of the annual

performance and status report. The county drug abuse board may be the same board designated for the mental health program; PROVIDED, That, the board shall have standing drug abuse subcommittee and shall have at least 25% of its membership appointed to represent the drug abuse program and its clients. Counties may propose for department approval alternate board structures, which the department may authorize if the alternate structure is more efficient or effective and meets the intent of this section.

(3) Appointment, terms, composition and expenses of the county drug abuse board shall be as required for mental health boards by RCW 71.24.060.

NEW SECTION

WAC 275-25-840 FUNDING FORMULAE. The annual allocation of funds appropriated from state revenues shall be based on the following criteria:

(1) The department may withhold up to twenty five percent of allocated state funds for statewide programs, special projects and emergency needs.

(2) Each county shall receive five thousand dollars for basic drug abuse services, subject to availability of state funds.

(3) The remainder of allocated state funds shall be distributed on a per capita basis, based on the most recent estimates of population size by the office of financial management.

**WSR 78-09-001
EMERGENCY RULES
DEPARTMENT OF NATURAL RESOURCES**
[Order 299—Filed August 3, 1978]

I, Bert L. Cole, Commissioner of Public Lands, do promulgate and adopt at Olympia, Washington, the annexed rules relating to the adoption of an emergency rule amending logging restrictions in Administrative Order No. 298 in Western Washington, effective at midnight Thursday, August 3, 1978, through midnight Sunday, August 6, 1978.

I, Bert L. Cole, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is due to existing and forecast weather conditions, the areas included in the logging restrictions are particularly exposed to fire danger.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 76.04.190 and 76.04.200 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as

appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 3, 1978.

By Bert L. Cole
Commissioner of Public Lands

AMENDATORY SECTION (Amending Emergency Administrative Order #298, filed 8/1/78)

WAC 332-26-503 LOGGING HOOT OWL – COMPLETE SHUTDOWN FROM 1200 NOON UNTIL 2400 MIDNIGHT – RESTRICTIONS IN WESTERN WASHINGTON ON AREAS UNDER PROTECTION OF THE DEPARTMENT OF NATURAL RESOURCES IN THE OLYMPIC AREA. Effective at midnight ((Tuesday, August 1)) Thursday August 3, 1978, through midnight ((Wednesday, August 2)) Sunday, August 6, 1978, the logging restrictions shall be in force in Zone 2 in Grays Harbor and Jefferson Counties and Zone 3 in Clallam County all in the Olympic Area.

During the period of hoot owl, all logging, land clearing, milling and other operations that may cause a forest fire to start are to be shutdown on all forest lands protected by the Department of Natural Resources in the above areas.

During the hoot owl period, all persons are excluded from logging operating areas and areas of logging slashings, except those persons present in the interest of fire protection.

Burning Permits in Burning Permit Zones B and C are cancelled in the abovenoted Shutdown Zones.

Reviser's Note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

J V
**WSR 78-09-002
ADOPTED RULES
DEPARTMENT OF LICENSING**
[Order 500-DOL—Filed August 3, 1978]

I, R. Y. Woodhouse, director of Department of Licensing, do promulgate and adopt at Olympia, Washington, the annexed rules relating to the integration of the policies and procedures of the state environmental policy act, chapter 43.21C RCW, into the various programs and activities of the department of Licensing, its divisions, and its affiliated agencies. Repealing chapter 308-200 WAC, and adding a new chapter 308-200A, most sections of which adopt rules of the department of Ecology by reference and the section numbers of which are correlated to those of former chapter 308-200 WAC.

This action is taken pursuant to Notice No. WSR 78-05-038 filed with the code reviser on 4/19/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 43.21C-120 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED June 19, 1978.

By R. Y. Woodhouse
Director

**Chapter 308-200A WAC
DEPARTMENT OF LICENSING
ENVIRONMENTAL REGULATIONS**

WAC

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308-200A-030	INTEGRATION OF SEPA PROCEDURES WITH OTHER GOVERNMENTAL OPERATIONS.
308-200A-040	DEFINITIONS.
308-200A-050	USE OF THE ENVIRONMENTAL CHECKLIST FORM.
308-200A-055	TIMING OF THE EIS PROCESS.
308-200A-060	SCOPE OF A PROPOSAL AND ITS IMPACTS FOR THE PURPOSES OF LEAD AGENCY DETERMINATION, THRESHOLD DETERMINATION, AND EIS PREPARATION.
308-200A-100	SUMMARY OF INFORMATION WHICH MAY BE REQUIRED OF A PRIVATE APPLICANT.
308-200A-150	EXEMPTIONS EXCLUSIVE—CEP APPROVAL OF CHANGES IN EXEMPTIONS.
308-200A-160	NO PRESUMPTION OF SIGNIFICANCE FOR NONEXEMPT ACTIONS.
308-200A-170	CATEGORICAL EXEMPTIONS.
308-200A-175	EXEMPTIONS AND NONEXEMPTIONS APPLICABLE TO THE DEPARTMENT.
308-200A-177	ENVIRONMENTALLY SENSITIVE AREAS.
308-200A-180	EXEMPTIONS FOR EMERGENCY ACTIONS.
308-200A-190	USE AND EFFECT OF CATEGORICAL EXEMPTIONS.
308-200A-200	LEAD AGENCY—RESPONSIBILITIES.
308-200A-203	DETERMINATION OF LEAD AGENCY—PROCEDURES.
308-200A-205	LEAD AGENCY DESIGNATION—GOVERNMENTAL PROPOSALS.
308-200A-210	LEAD AGENCY DESIGNATION—PROPOSALS INVOLVING BOTH PRIVATE AND PUBLIC CONSTRUCTION ACTIVITY.
308-200A-215	LEAD AGENCY DESIGNATION—PRIVATE PROJECTS FOR WHICH THERE IS ONLY ONE AGENCY WITH JURISDICTION.
308-200A-220	LEAD AGENCY DESIGNATION—PRIVATE PROJECTS REQUIRING LICENSES

FROM MORE THAN ONE AGENCY,
WHEN ONE OF THE AGENCIES IS A COUNTY/CITY.

308-200A-225	LEAD AGENCY DESIGNATION—PRIVATE PROJECTS REQUIRING LICENSES FROM MORE THAN ONE STATE AGENCY.
308-200A-230	LEAD AGENCY DESIGNATION—SPECIFIC PROPOSALS.
308-200A-235	LOCAL AGENCY TRANSFER OF LEAD AGENCY STATUS TO A STATE AGENCY.
308-200A-240	AGREEMENTS AS TO LEAD AGENCY STATUS.
308-200A-245	AGREEMENTS BETWEEN AGENCIES AS TO DIVISION OF LEAD AGENCY DUTIES.
308-200A-260	DISPUTE AS TO LEAD AGENCY DETERMINATION—RESOLUTION BY CEP.
308-200A-270	ASSUMPTION OF LEAD AGENCY STATUS BY ANOTHER AGENCY WITH JURISDICTION.
308-200A-300	THRESHOLD DETERMINATION REQUIREMENT.
308-200A-305	RECOMMENDED TIMING FOR THRESHOLD DETERMINATION.
308-200A-310	THRESHOLD DETERMINATION PROCEDURES—ENVIRONMENTAL CHECKLIST.
308-200A-320	THRESHOLD DETERMINATION PROCEDURES—INITIAL REVIEW OF ENVIRONMENTAL CHECKLIST.
308-200A-330	THRESHOLD DETERMINATION PROCEDURES—INFORMATION IN ADDITION TO CHECKLIST.
308-200A-340	THRESHOLD DETERMINATION PROCEDURES—NEGATIVE DECLARATIONS.
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308-200A-446	DRAFT EIS—OPTIONAL ADDITIONAL ELEMENTS—LIMITATION.	308-200A-710	EIS COMBINED WITH EXISTING PLANNING AND REVIEW PROCESSES.
308-200A-450	PUBLIC AWARENESS OF AVAILABILITY OF DRAFT EIS.	308-200A-820	DESIGNATION OF RESPONSIBLE OFFICIAL.
308-200A-455	CIRCULATION OF THE DRAFT EIS—REVIEW PERIOD.	308-200A-831	RESPONSIBILITY OF AGENCIES—SEPA PUBLIC INFORMATION
308-200A-460	SPECIFIC AGENCIES TO WHICH DRAFT EIS SHALL BE SENT.	308-200A-840	APPLICATION OF AGENCY RULES TO ONGOING ACTIONS.
308-200A-465	AGENCIES POSSESSING ENVIRONMENTAL EXPERTISE.	308-200A-860	FEES TO COVER THE COSTS OF SEPA COMPLIANCE.
308-200A-470	COST TO THE PUBLIC FOR REPRODUCTION OF ENVIRONMENTAL DOCUMENTS.	308-200A-900	APPLICABILITY OF THIS CHAPTER.
308-200A-480	PUBLIC HEARING ON A PROPOSAL—WHEN REQUIRED.	308-200A-910	SEVERABILITY.
308-200A-485	NOTICE OF PUBLIC HEARING ON ENVIRONMENTAL IMPACT OF THE PROPOSAL.		NEW SECTION
308-200A-490	PUBLIC HEARING ON THE PROPOSAL—USE OF ENVIRONMENTAL DOCUMENTS.		WAC 308-200A-010 AUTHORITY. The department adopts by reference the text of WAC 197-10-010, as it existed on January 21, 1978.
308-200A-495	PREPARATION OF AMENDED OR NEW DRAFT EIS.		NEW SECTION
308-200A-500	RESPONSIBILITIES OF CONSULTED AGENCIES—LOCAL AGENCIES.		WAC 308-200A-020 PURPOSE. (1) The purpose of this chapter is to establish department of licensing rules interpreting and implementing the state environmental policy act of 1971 (SEPA), which rules will apply to the department, its divisions, and its affiliated agencies.
308-200A-510	RESPONSIBILITIES OF CONSULTED AGENCIES—STATE AGENCIES WITH JURISDICTION.		(2) These rules do not govern compliance by the department with respect to the national environmental policy act of 1969 (NEPA). When the department is required by federal law or regulations to perform some element of compliance with NEPA, such compliance will be governed by the applicable federal statute and regulations and not by these rules.
308-200A-520	RESPONSIBILITIES OF CONSULTED AGENCIES—STATE AGENCIES WITH ENVIRONMENTAL EXPERTISE.		NEW SECTION
308-200A-530	RESPONSIBILITIES OF CONSULTED AGENCIES—WHEN PREDRAFT CONSULTATION HAS OCCURRED.		WAC 308-200A-025 SCOPE AND COVERAGE OF THIS CHAPTER. The department adopts by reference the text of WAC 197-10-025, as it existed on January 21, 1978.
308-200A-535	COST OF PERFORMANCE OF CONSULTED AGENCY RESPONSIBILITIES.		NEW SECTION
308-200A-540	LIMITATIONS ON RESPONSES TO CONSULTATION.		WAC 308-200A-030 INTEGRATION OF SEPA PROCEDURES WITH OTHER GOVERNMENTAL OPERATIONS. The department adopts by reference the text of WAC 197-10-030, as it existed on January 21, 1978.
308-200A-545	EFFECT OF NO WRITTEN COMMENT.		
308-200A-550	PREPARATION OF THE FINAL EIS—TIME PERIOD ALLOWED.		
308-200A-570	PREPARATION OF THE FINAL EIS—CONTENTS—WHEN NO CRITICAL COMMENTS RECEIVED ON THE DRAFT EIS.		
308-200A-580	PREPARATION OF THE FINAL EIS—CONTENTS—WHEN CRITICAL COMMENTS RECEIVED ON THE DRAFT EIS.		
308-200A-600	CIRCULATION OF THE FINAL EIS.		
308-200A-650	EFFECT OF AN INADEQUATE FINAL EIS PREPARED PURSUANT TO NEPA.		

NEW SECTION

WAC 308-200A-040 DEFINITIONS. The department adopts by reference the text of WAC 197-10-040, as it existed on January 21, 1978.

NEW SECTION

WAC 308-200A-050 USE OF THE ENVIRONMENTAL CHECKLIST FORM. The department adopts by reference the text of WAC 197-10-050, as it existed on January 21, 1978.

NEW SECTION

WAC 308-200A-055 TIMING OF THE EIS PROCESS. (1) When acting as a lead agency, the department shall identify the times at which the EIS process must be completed on a case-by-case basis.

(2) At a minimum, the threshold determination and any required EIS shall be completed prior to undertaking any proposed major action.

(3) The maximum time limits contained in these regulations for the threshold determination and EIS process do not apply to a proposal for a governmental action when the proponent of the action is also the lead agency.

NEW SECTION

WAC 308-200A-060 SCOPE OF A PROPOSAL AND ITS IMPACTS FOR THE PURPOSES OF LEAD AGENCY DETERMINATION, THRESHOLD DETERMINATION, AND EIS PREPARATION. The department adopts by reference the text of WAC 197-10-060, as it existed on January 21, 1978.

NEW SECTION

WAC 308-200A-100 SUMMARY OF INFORMATION WHICH MAY BE REQUIRED OF A PRIVATE APPLICANT. (1) There are three areas of these rules where the department is allowed to require information from a private applicant. These are:

- (a) Environmental checklist;
- (b) Threshold determination; and
- (c) Draft and final EIS.

Further information may be required if the responsible official determines that the information initially supplied was not reasonably adequate to fulfill the purpose for which it was required. An applicant may voluntarily submit, at any time, information beyond that which may be required under these rules.

(2) Environmental checklist. A private applicant is required to complete an environmental checklist as set forth in WAC 197-10-365 and in section 308-200A-365 of this chapter, either concurrently with or after filing the application. Explanations for each "yes" and "maybe" answer indicated thereon are required. The department may not require a complete assessment or "mini-EIS" at this stage.

(3) Threshold determination. The lead agency shall make an initial review of a completed checklist without requiring more information from a private applicant. After completing this initial review, the lead agency may require further information from the applicant, including

explanation of "no" answers on the checklist. This information shall be limited to those elements on the environmental checklist for which, as determined by the lead agency, information accessible to the lead agency is not reasonably sufficient to evaluate the environmental impacts of the proposal. Field investigations or research by the applicant reasonably related to determining the environmental impacts of the proposal may be required.

(4) Draft and final EIS preparation. An EIS may be prepared by the applicant under the direction of the responsible official, if the responsible official requires and so notifies the applicant in writing. Alternatively, the responsible official may require a private applicant to provide data and information which is not in the possession of the lead agency relevant to any or all areas to be covered by an EIS. A private applicant shall not be required to provide information which is the subject of a predraft consultation request until the consulted agency has responded, or the forty-five days allowed for response by the consulted agency has expired, whichever is earlier. (See WAC 308-200A-420)

NEW SECTION

WAC 308-200A-150 EXEMPTIONS EXCLUSIVE—CEP APPROVAL OF CHANGES IN EXEMPTIONS. The department adopts by reference the text of WAC 197-10-150, as it existed on January 21, 1978.

NEW SECTION

WAC 308-200A-160 NO PRESUMPTION OF SIGNIFICANCE FOR NONEXEMPT ACTIONS. The department adopts by reference the text of WAC 197-10-160, as it existed on January 21, 1978.

NEW SECTION

WAC 308-200A-170 CATEGORICAL EXEMPTIONS. The department adopts by reference the text of WAC 197-10-170, as it existed on January 21, 1978.

NEW SECTION

WAC 308-200A-175 EXEMPTIONS AND NONEXEMPTIONS APPLICABLE TO THE DEPARTMENT. All actions and licenses required under programs administered by the department of licensing as of December 12, 1975, are hereby exempted, except the following, which, notwithstanding the provisions of WAC 197-10-170 and section 308-200A-170 of this chapter, shall not be considered exempt:

(1) Camping club promotional permits required by chapter 19.105 RCW.

(2) Motor vehicle wrecker licenses required by chapter 46.80 RCW. WAC 197-10-170(5)(i) and WAC 308-200A-170(5)(i) shall apply to allow possible exemption of renewals of camping club promotional permits and motor vehicle wrecker licenses.

(3) The adoption or amendment by the department of any regulations or standards for motor vehicle wrecker operations or camping club operations affecting environmental values.

The exemptions in this section are in addition to the general exemptions of WAC 197-10-170 and 197-10-180, which apply to all agencies unless the general exemptions are specifically made inapplicable by this section.

NEW SECTION

WAC 308-200A-177 ENVIRONMENTALLY SENSITIVE AREAS. The department adopts by reference the text of WAC 197-10-177, as it existed on January 21, 1978.

NEW SECTION

WAC 308-200A-180 EXEMPTIONS FOR EMERGENCY ACTIONS. The department adopts by reference the text of WAC 197-10-180, as it existed on January 21, 1978.

NEW SECTION

WAC 308-200A-190 USE AND EFFECT OF CATEGORICAL EXEMPTIONS. The department adopts by reference the text of WAC 197-10-190, as it existed on January 21, 1978.

NEW SECTION

WAC 308-200A-200 LEAD AGENCY—RESPONSIBILITIES. The department adopts by reference the text of WAC 197-10-200, as it existed on January 21, 1978.

NEW SECTION

WAC 308-200A-203 DETERMINATION OF LEAD AGENCY—PROCEDURES. The department adopts by reference the text of WAC 197-10-203, as it existed on January 21, 1978.

NEW SECTION

WAC 308-200A-205 LEAD AGENCY DESIGNATION—GOVERNMENTAL PROPOSALS. The department adopts by reference the text of WAC 197-10-205, as it existed on January 21, 1978.

NEW SECTION

WAC 308-200A-210 LEAD AGENCY DESIGNATION—PROPOSALS INVOLVING BOTH PRIVATE AND PUBLIC CONSTRUCTION ACTIVITY. The department adopts by reference the text of WAC 197-10-210, as it existed on January 21, 1978.

NEW SECTION

WAC 308-200A-215 LEAD AGENCY DESIGNATION—PRIVATE PROJECTS FOR WHICH THERE IS ONLY ONE AGENCY WITH JURISDICTION. The department adopts by reference the text of WAC 197-10-215, as it existed on January 21, 1978.

NEW SECTION

WAC 308-200A-220 LEAD AGENCY DESIGNATION—PRIVATE PROJECTS REQUIRING

LICENSES FROM MORE THAN ONE AGENCY, WHEN ONE OF THE AGENCIES IS A COUNTY/CITY. The department adopts by reference the text of WAC 197-10-220, as it existed on January 21, 1978.

NEW SECTION

WAC 308-200A-225 LEAD AGENCY DESIGNATION—PRIVATE PROJECTS REQUIRING LICENSES FROM MORE THAN ONE STATE AGENCY. The department adopts by reference the text of WAC 197-10-225, as it existed on January 21, 1978.

NEW SECTION

WAC 308-200A-230 LEAD AGENCY DESIGNATION—SPECIFIC PROPOSALS. The department adopts by reference the text of WAC 197-10-230, as it existed on January 21, 1978.

NEW SECTION

WAC 308-200A-235 LOCAL AGENCY TRANSFER OF LEAD AGENCY STATUS TO A STATE AGENCY. The department adopts by reference the text of WAC 197-10-235, as it existed on January 21, 1978.

NEW SECTION

WAC 308-200A-240 AGREEMENTS AS TO LEAD AGENCY STATUS. The department adopts by reference the text of WAC 197-10-240, as it existed on January 21, 1978.

NEW SECTION

WAC 308-200A-245 AGREEMENTS BETWEEN AGENCIES AS TO DIVISION OF LEAD AGENCY DUTIES. The department adopts by reference the text of WAC 197-10-245, as it existed on January 21, 1978.

NEW SECTION

WAC 308-200A-260 DISPUTE AS TO LEAD AGENCY DETERMINATION—RESOLUTION BY CEP. The department adopts by reference the text of WAC 197-10-260, as it existed on January 21, 1978.

NEW SECTION

WAC 308-200A-270 ASSUMPTION OF LEAD AGENCY STATUS BY ANOTHER AGENCY WITH JURISDICTION. The department adopts by reference the text of WAC 197-10-270, as it existed on January 21, 1978.

NEW SECTION

WAC 308-200A-300 THRESHOLD DETERMINATION REQUIREMENT. The department adopts by reference the text of WAC 197-10-300, as it existed on January 21, 1978.

NEW SECTION

WAC 308-200A-305 RECOMMENDED TIMING FOR THRESHOLD DETERMINATION. The department adopts by reference the text of WAC 197-10-305, as it existed on January 21, 1978.

NEW SECTION

WAC 308-200A-310 THRESHOLD DETERMINATION PROCEDURES—ENVIRONMENTAL CHECKLIST. The department adopts by reference the text of WAC 197-10-310, as it existed on January 21, 1978.

NEW SECTION

WAC 308-200A-320 THRESHOLD DETERMINATION PROCEDURES—INITIAL REVIEW OF ENVIRONMENTAL CHECKLIST. The department adopts by reference the text of WAC 197-10-320, as it existed on January 21, 1978.

NEW SECTION

WAC 308-200A-330 THRESHOLD DETERMINATION PROCEDURES—INFORMATION IN ADDITION TO CHECKLIST. The department adopts by reference the text of WAC 197-10-330, as it existed on January 21, 1978.

NEW SECTION

WAC 308-200A-340 THRESHOLD DETERMINATION PROCEDURES—NEGATIVE DECLARATIONS. The department adopts by reference the text of WAC 197-10-340, as it existed on January 21, 1978.

NEW SECTION

WAC 308-200A-345 ASSUMPTION OF LEAD AGENCY STATUS BY ANOTHER AGENCY WITH JURISDICTION OVER A PROPOSAL—PREREQUISITES, EFFECT AND FORM OF NOTICE. The department adopts by reference the text of WAC 197-10-345, as it existed on January 21, 1978.

NEW SECTION

WAC 308-200A-350 AFFIRMATIVE THRESHOLD DETERMINATION. The department adopts by reference the text of WAC 197-10-350, as it existed on January 21, 1978.

NEW SECTION

WAC 308-200A-355 FORM OF DECLARATION OF SIGNIFICANCE/NON-SIGNIFICANCE. The department adopts by reference the text of WAC 197-10-355, as it existed on January 21, 1978.

NEW SECTION

WAC 308-200A-360 THRESHOLD DETERMINATION CRITERIA—APPLICATION OF ENVIRONMENTAL CHECKLIST. The department adopts

by reference the text of WAC 197-10-360, as it existed on January 21, 1978.

NEW SECTION

WAC 308-200A-365 ENVIRONMENTAL CHECKLIST. The department adopts by reference the text of WAC 197-10-365, as it existed on January 21, 1978.

NEW SECTION

WAC 308-200A-370 WITHDRAWAL OF AFFIRMATIVE THRESHOLD DETERMINATION. The department adopts by reference the text of WAC 197-10-370, as it existed on January 21, 1978.

NEW SECTION

WAC 308-200A-375 WITHDRAWAL OF NEGATIVE THRESHOLD DETERMINATION. The department adopts by reference the text of WAC 197-10-375, as it existed on January 21, 1978.

NEW SECTION

WAC 308-200A-390 EFFECT OF THRESHOLD DETERMINATION BY LEAD AGENCY. The department adopts by reference the text of WAC 197-10-390, as it existed on January 21, 1978.

NEW SECTION

WAC 308-200A-400 DUTY TO BEGIN PREPARATION OF A DRAFT EIS. The department adopts by reference the text of WAC 197-10-400, as it existed on January 21, 1978.

NEW SECTION

WAC 308-200A-405 PURPOSE AND FUNCTION OF A DRAFT EIS. The department adopts by reference the text of WAC 197-10-405, as it existed on January 21, 1978.

NEW SECTION

WAC 308-200A-410 PREDRAFT CONSULTATION PROCEDURES. The department adopts by reference the text of WAC 197-10-410, as it existed on January 21, 1978.

NEW SECTION

WAC 308-200A-420 PREPARATION OF EIS BY PERSONS OUTSIDE THE LEAD AGENCY. The department adopts by reference the text of WAC 197-10-420, as it existed on January 21, 1978.

NEW SECTION

WAC 308-200A-425 ORGANIZATION AND STYLE OF A DRAFT EIS. The department adopts by reference the text of WAC 197-10-425, as it existed on January 21, 1978.

NEW SECTION

WAC 308-200A-440 CONTENTS OF A DRAFT EIS. The department adopts by reference the text of WAC 197-10-440, as it existed on January 21, 1978.

NEW SECTION

WAC 308-200A-442 SPECIAL CONSIDERATIONS REGARDING CONTENTS OF AN EIS ON A NONPROJECT ACTION. The department adopts by reference the text of WAC 197-10-442, as it existed on January 21, 1978.

NEW SECTION

WAC 308-200A-444 LIST OF ELEMENTS OF THE ENVIRONMENT. The department adopts by reference the text of WAC 197-10-444, as it existed on January 21, 1978.

NEW SECTION

WAC 308-200A-446 DRAFT EIS—OPTIONAL ADDITIONAL ELEMENTS—LIMITATION. At the discretion of the responsible official, there may be added to the list of elements of the environment to be attached to any EIS, the following elements:

- (1) social factors,
- (2) cultural concerns, and
- (3) economic issues.

Such additional elements shall become part of the environment for EIS purposes, and not otherwise.

NEW SECTION

WAC 308-200A-450 PUBLIC AWARENESS OF AVAILABILITY OF DRAFT EIS. The department adopts by reference the text of WAC 197-10-450, as it existed on January 21, 1978.

NEW SECTION

WAC 308-200A-455 CIRCULATION OF THE DRAFT EIS—REVIEW PERIOD. The department adopts by reference the text of WAC 197-10-455, as it existed on January 21, 1978.

NEW SECTION

WAC 308-200A-460 SPECIFIC AGENCIES TO WHICH DRAFT EIS SHALL BE SENT. The department adopts by reference the text of WAC 197-10-460, as it existed on January 21, 1978.

NEW SECTION

WAC 308-200A-465 AGENCIES POSSESSING ENVIRONMENTAL EXPERTISE. The department adopts by reference the text of WAC 197-10-465, as it existed on January 21, 1978.

NEW SECTION

WAC 308-200A-470 COST TO THE PUBLIC FOR REPRODUCTION OF ENVIRONMENTAL DOCUMENTS. The department adopts by reference

the text of WAC 197-10-470, as it existed on January 21, 1978.

NEW SECTION

WAC 308-200A-480 PUBLIC HEARING ON A PROPOSAL—WHEN REQUIRED. The department adopts by reference the text of WAC 197-10-480, as it existed on January 21, 1978.

NEW SECTION

WAC 308-200A-485 NOTICE OF PUBLIC HEARING ON ENVIRONMENTAL IMPACT OF THE PROPOSAL. The department adopts by reference the text of WAC 197-10-485, as it existed on January 21, 1978.

NEW SECTION

WAC 308-200A-490 PUBLIC HEARING ON THE PROPOSAL—USE OF ENVIRONMENTAL DOCUMENTS. The department adopts by reference the text of WAC 197-10-490, as it existed on January 21, 1978.

NEW SECTION

WAC 308-200A-495 PREPARATION OF AMENDED OR NEW DRAFT EIS. The department adopts by reference the text of WAC 197-10-495, as it existed on January 21, 1978.

NEW SECTION

WAC 308-200A-500 RESPONSIBILITIES OF CONSULTED AGENCIES—LOCAL AGENCIES. The department adopts by reference the text of WAC 197-10-500, as it existed on January 21, 1978.

NEW SECTION

WAC 308-200A-510 RESPONSIBILITIES OF CONSULTED AGENCIES—STATE AGENCIES WITH JURISDICTION. The department adopts by reference the text of WAC 197-10-510, as it existed on January 21, 1978.

NEW SECTION

WAC 308-200A-520 RESPONSIBILITIES OF CONSULTED AGENCIES—STATE AGENCIES WITH ENVIRONMENTAL EXPERTISE. The department adopts by reference the text of WAC 197-10-520, as it existed on January 21, 1978.

NEW SECTION

WAC 308-200A-530 RESPONSIBILITIES OF CONSULTED AGENCIES—WHEN PREDRAFT CONSULTATION HAS OCCURRED. The department adopts by reference the text of WAC 197-10-530, as it existed on January 21, 1978.

NEW SECTION

WAC 308-200A-535 COST OF PERFORMANCE OF CONSULTED AGENCY RESPONSIBILITIES. The department adopts by reference the text of WAC 197-10-535, as it existed on January 21, 1978.

NEW SECTION

WAC 308-200A-540 LIMITATIONS ON RESPONSES TO CONSULTATION. The department adopts by reference the text of WAC 197-10-540, as it existed on January 21, 1978.

NEW SECTION

WAC 308-200A-545 EFFECT OF NO WRITTEN COMMENT. The department adopts by reference the text of WAC 197-10-545, as it existed on January 21, 1978.

NEW SECTION

WAC 308-200A-550 PREPARATION OF THE FINAL EIS—TIME PERIOD ALLOWED. The department adopts by reference the text of WAC 197-10-550, as it existed on January 21, 1978.

NEW SECTION

WAC 308-200A-570 PREPARATION OF THE FINAL EIS—CONTENTS—WHEN NO CRITICAL COMMENTS RECEIVED ON THE DRAFT EIS. The department adopts by reference the text of WAC 197-10-570, as it existed on January 21, 1978.

NEW SECTION

WAC 308-200A-580 PREPARATION OF THE FINAL EIS—CONTENTS—WHEN CRITICAL COMMENTS RECEIVED ON THE DRAFT EIS. The department adopts by reference the text of WAC 197-10-580, as it existed on January 21, 1978.

NEW SECTION

WAC 308-200A-600 CIRCULATION OF THE FINAL EIS. The department adopts by reference the text of WAC 197-10-600, as it existed on January 21, 1978.

NEW SECTION

WAC 308-200A-650 EFFECT OF AN ADEQUATE FINAL EIS PREPARED PURSUANT TO NEPA. The department adopts by reference the text of WAC 197-10-650, as it existed on January 21, 1978.

NEW SECTION

WAC 308-200A-652 SUPPLEMENTATION BY A LEAD AGENCY OF AN INADEQUATE FINAL NEPA EIS. The department adopts by reference the text of WAC 197-10-652, as it existed on January 21, 1978.

NEW SECTION

WAC 308-200A-660 USE OF PREVIOUSLY PREPARED EIS FOR A DIFFERENT PROPOSED ACTION. The department adopts by reference the text of WAC 197-10-660, as it existed on January 21, 1978.

NEW SECTION

WAC 308-200A-690 USE OF LEAD AGENCY'S EIS BY OTHER ACTING AGENCIES FOR THE SAME PROPOSAL. The department adopts by reference the text of WAC 197-10-690, as it existed on January 21, 1978.

NEW SECTION

WAC 308-200A-695 DRAFT AND FINAL SUPPLEMENTS TO A REVISED EIS. The department adopts by reference the text of WAC 197-10-695, as it existed on January 21, 1978.

NEW SECTION

WAC 308-200A-700 NO ACTION FOR SEVEN DAYS AFTER PUBLICATION OF THE FINAL EIS. The department adopts by reference the text of WAC 197-10-700, as it existed on January 21, 1978.

NEW SECTION

WAC 308-200A-710 EIS COMBINED WITH EXISTING PLANNING AND REVIEW PROCESSES. The department adopts by reference the text of WAC 197-10-710, as it existed on January 21, 1978.

NEW SECTION

WAC 308-200A-820 DESIGNATION OF RESPONSIBLE OFFICIAL. By the terms of WAC 308-200A-175 and WAC 197-10-175, action upon only two licenses issued by the department of licensing is not exempt from compliance with SEPA. These licenses are motor vehicle wrecker licenses and camping club promotional permits. For the former, the responsible official shall be the administrator of the dealer and manufacturer control division. For the latter, the responsible official shall be the administrator of the securities division.

The responsible official shall carry out the duties and functions of the department when it is acting as the lead agency under this chapter.

Should any action of the department, other than action on one of the two aforesaid licenses, be deemed nonexempt from the provisions of SEPA, the responsible official shall be the deputy director of the department of licensing, unless another official shall be so designated by departmental regulation.

NEW SECTION

WAC 308-200A-831 RESPONSIBILITY OF AGENCIES—SEPA PUBLIC INFORMATION. The department adopts by reference the text of WAC 197-10-831, as it existed on January 21, 1978.

NEW SECTION

WAC 308-200A-840 APPLICATION OF AGENCY RULES TO ONGOING ACTIONS. The department adopts by reference the text of WAC 197-10-840, as it existed on January 21, 1978.

NEW SECTION

WAC 308-200A-860 FEES TO COVER THE COSTS OF SEPA COMPLIANCE. The department adopts by reference the text of WAC 197-10-860, as it existed on January 21, 1978.

NEW SECTION

WAC 308-200A-900 APPLICABILITY OF THIS CHAPTER. This chapter integrates the policies and procedures of the state environmental policy act, chapter 43.21C RCW, into the various programs and activities of the department of licensing, its divisions and its affiliated agencies. With a few exceptions for sections peculiar to the department of licensing or in which the department has exercised an option available to it under applicable department of ecology guidelines, this chapter adopts verbatim the language of the respective sections of the department of ecology guidelines, chapter 197-10 WAC. Consequently, references are not usually made directly to the department of licensing, but rather to "lead agency," "consulted agency," etc.; when the department acts as a particular type of agency, reference to that type of agency will apply to the department. Also consequently, some provisions may seem overbroad. Nevertheless, the chapter governs only the SEPA-related actions of the department, its divisions and its affiliated agencies. If the provisions of this chapter do not adequately cover the duties of the department, its divisions and its affiliated agencies on any matter relating to SEPA, chapter 197-10 WAC shall control such duties.

NEW SECTION

WAC 308-200A-910 SEVERABILITY. The department adopts by reference the text of WAC 197-10-910, as it existed on January 21, 1978.

REPEALER

Chapter 308-200 of the Washington Administrative Code is hereby repealed, as follows:

- (1) **WAC 308-200-010 AUTHORITY.**
- (2) **WAC 308-200-020 PURPOSE.**
- (3) **WAC 308-200-025 SCOPE AND COVER-AGE OF THIS CHAPTER.**
- (4) **WAC 308-200-030 INTEGRATION OF SEPA PROCEDURES WITH OTHER GOVERN-MENTAL OPERATIONS.**
- (5) **WAC 308-200-040 DEFINITIONS.**
- (6) **WAC 308-200-050 USE OF THE ENVI-RONMENTAL CHECKLIST FORM.**
- (7) **WAC 308-200-055 TIMING OF THE EIS PROCESS.**
- (8) **WAC 308-200-060 SCOPE OF A PROPOS-AL AND ITS IMPACTS FOR THE PURPOSES OF**

LEAD AGENCY DETERMINATION, THRESH-OLD DETERMINATION, AND EIS PREPARATION.

(9) **WAC 308-200-100 SUMMARY OF INFOR-MATION WHICH MAY BE REQUIRED OF A PRIVATE APPLICANT.**

(10) **WAC 308-200-150 EXEMPTIONS EXCLU-SIVE—CEP APPROVAL OF CHANGES IN EXEMPTIONS.**

(11) **WAC 308-200-160 NO PRESUMPTION OF SIGNIFICANCE FOR NONEXEMPT ACTIONS.**

(12) **WAC 308-200-170 CATEGORICAL EXEMPTIONS.**

(13) **WAC 308-200-175 EXEMPTIONS AND NONEXEMPTIONS APPLICABLE TO THE DEPARTMENT.**

(14) **WAC 308-200-180 EXEMPTIONS FOR EMERGENCY ACTIONS.**

(15) **WAC 308-200-190 USE AND EFFECT OF CATEGORICAL EXEMPTIONS.**

(16) **WAC 308-200-200 LEAD AGENCY—RESPONSIBILITIES.**

(17) **WAC 308-200-203 DETERMINATION OF LEAD AGENCY—PROCEDURES.**

(18) **WAC 308-200-205 LEAD AGENCY DES-IGNATION—GOVERNMENTAL PROPOSALS.**

(19) **WAC 308-200-210 LEAD AGENCY DES-IGNATION—PROPOSALS INVOLVING BOTH PRIVATE AND PUBLIC CONSTRUCTION ACTIVITY.**

(20) **WAC 308-200-215 LEAD AGENCY DES-IGNATION—PRIVATE PROJECTS FOR WHICH THERE IS ONLY ONE AGENCY WITH JURISDICTION.**

(21) **WAC 308-200-220 LEAD AGENCY DES-IGNATION—PRIVATE PROJECTS REQUI-RING LICENSES FROM MORE THAN ONE AGENCY, WHEN ONE OF THE AGENCIES IS A COUNTY/CITY.**

(22) **WAC 308-200-225 LEAD AGENCY DES-IGNATION—PRIVATE PROJECTS REQUI-RING LICENSES FROM MORE THAN ONE STATE AGENCY.**

(23) **WAC 308-200-230 LEAD AGENCY DES-IGNATION—SPECIFIC PROPOSALS.**

(24) **WAC 308-200-235 LOCAL AGENCY TRANSFER OF LEAD AGENCY STATUS TO A STATE AGENCY.**

(25) **WAC 308-200-240 AGREEMENTS AS TO LEAD AGENCY STATUS.**

(26) **WAC 308-200-245 AGREEMENTS BE-TWEEN AGENCIES AS TO DIVISION OF LEAD AGENCY DUTIES.**

(27) **WAC 308-200-260 DISPUTE AS TO LEAD AGENCY DETERMINATION—RESOLUTION BY CEP.**

(28) **WAC 308-200-270 ASSUMPTION OF LEAD AGENCY STATUS BY ANOTHER AGEN-CY WITH JURISDICTION.**

(29) **WAC 308-200-300 THRESHOLD DETER-MINATION REQUIREMENT.**

- (30) WAC 308-200-305 RECOMMENDED TIMING FOR THRESHOLD DETERMINATION.
- (31) WAC 308-200-310 THRESHOLD DETERMINATION PROCEDURES—ENVIRONMENTAL CHECKLIST.
- (32) WAC 308-200-320 THRESHOLD DETERMINATION PROCEDURES—INITIAL REVIEW OF ENVIRONMENTAL CHECKLIST.
- (33) WAC 308-200-330 THRESHOLD DETERMINATION PROCEDURES—INFORMATION IN ADDITION TO CHECKLIST.
- (34) WAC 308-200-340 THRESHOLD DETERMINATION PROCEDURES—NEGATIVE DECLARATIONS.
- (35) WAC 308-200-345 ASSUMPTION OF LEAD AGENCY STATUS BY ANOTHER AGENCY WITH JURISDICTION OVER A PROPOSAL—PREREQUISITES, EFFECT AND FORM OF NOTICE.
- (36) WAC 308-200-350 AFFIRMATIVE THRESHOLD DETERMINATION.
- (37) WAC 308-200-355 FORM OF DECLARATION OF SIGNIFICANCE/NONSIGNIFICANCE.
- (38) WAC 308-200-360 THRESHOLD DETERMINATION CRITERIA—APPLICATION OF ENVIRONMENTAL CHECKLIST.
- (39) WAC 308-200-365 ENVIRONMENTAL CHECKLIST.
- (40) WAC 308-200-370 WITHDRAWAL OF AFFIRMATIVE THRESHOLD DETERMINATION.
- (41) WAC 308-200-375 WITHDRAWAL OF NEGATIVE THRESHOLD DETERMINATION.
- (42) WAC 308-200-390 EFFECT OF THRESHOLD DETERMINATION BY LEAD AGENCY.
- (43) WAC 308-200-400 DUTY TO BEGIN PREPARATION OF A DRAFT EIS.
- (44) WAC 308-200-405 PURPOSE AND FUNCTION OF A DRAFT EIS.
- (45) WAC 308-200-410 PREDRAFT CONSULTATION PROCEDURES.
- (46) WAC 308-200-420 PREPARATION OF EIS BY PERSONS OUTSIDE THE LEAD AGENCY.
- (47) WAC 308-200-425 ORGANIZATION AND STYLE OF A DRAFT EIS.
- (48) WAC 308-200-440 CONTENTS OF A DRAFT EIS.
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- (50) WAC 308-200-444 LIST OF ELEMENTS OF THE ENVIRONMENT.
- (51) WAC 308-200-446 DRAFT EIS—OPTIONAL ADDITIONAL ELEMENTS—LIMITATION.
- (52) WAC 308-200-450 PUBLIC AWARENESS OF AVAILABILITY OF DRAFT EIS.
- (53) WAC 308-200-455 CIRCULATION OF THE DRAFT EIS—REVIEW PERIOD.
- (54) WAC 308-200-460 SPECIFIC AGENCIES TO WHICH DRAFT EIS SHALL BE SENT.
- (55) WAC 308-200-465 AGENCIES POSSESSING ENVIRONMENTAL EXPERTISE.

- (56) WAC 308-200-470 COST TO THE PUBLIC FOR REPRODUCTION OF ENVIRONMENTAL DOCUMENTS.
- (57) WAC 308-200-480 PUBLIC HEARING ON A PROPOSAL—WHEN REQUIRED.
- (58) WAC 308-200-485 NOTICE OF PUBLIC HEARING ON ENVIRONMENTAL IMPACT OF THE PROPOSAL.
- (59) WAC 308-200-490 PUBLIC HEARING ON THE PROPOSAL—USE OF ENVIRONMENTAL DOCUMENTS.
- (60) WAC 308-200-495 PREPARATION OF AMENDED OR NEW DRAFT EIS.
- (61) WAC 308-200-500 RESPONSIBILITIES OF CONSULTED AGENCIES—LOCAL AGENCIES.
- (62) WAC 308-200-510 RESPONSIBILITIES OF CONSULTED AGENCIES—STATE AGENCIES WITH JURISDICTION.
- (63) WAC 308-200-520 RESPONSIBILITIES OF CONSULTED AGENCIES—STATE AGENCIES WITH ENVIRONMENTAL EXPERTISE.
- (64) WAC 308-200-530 RESPONSIBILITIES OF CONSULTED AGENCIES—WHEN PREDRAFT CONSULTATION HAS OCCURRED.
- (65) WAC 308-200-535 COST OF PERFORMANCE OF CONSULTED AGENCY RESPONSIBILITIES.
- (66) WAC 308-200-540 LIMITATIONS ON RESPONSES TO CONSULTATION.
- (67) WAC 308-200-545 EFFECT OF NO WRITTEN COMMENT.
- (68) WAC 308-200-550 PREPARATION OF THE FINAL EIS—TIME PERIOD ALLOWED.
- (69) WAC 308-200-570 PREPARATION OF THE FINAL EIS—CONTENTS—WHEN NO CRITICAL COMMENTS RECEIVED ON THE DRAFT EIS.
- (70) WAC 308-200-580 PREPARATION OF THE FINAL EIS—CONTENTS—WHEN CRITICAL COMMENTS RECEIVED ON THE DRAFT EIS.
- (71) WAC 308-200-600 CIRCULATION OF THE FINAL EIS.
- (72) WAC 308-200-650 EFFECT OF AN ADEQUATE FINAL EIS PREPARED PURSUANT TO NEPA.
- (73) WAC 308-200-652 SUPPLEMENTATION BY A LEAD AGENCY OF AN INADEQUATE FINAL NEPA EIS.
- (74) WAC 308-200-660 USE OF PREVIOUSLY PREPARED EIS FOR A DIFFERENT PROPOSED ACTION.
- (75) WAC 308-200-690 USE OF LEAD AGENCY'S EIS BY OTHER ACTING AGENCIES FOR THE SAME PROPOSAL.
- (76) WAC 308-200-695 DRAFT AND FINAL SUPPLEMENTS TO A REVISED EIS.
- (77) WAC 308-200-700 NO ACTION FOR SEVEN DAYS AFTER PUBLICATION OF THE FINAL EIS.

(78) WAC 308-200-710 EIS COMBINED WITH EXISTING PLANNING AND REVIEW PROCESSES.

(79) WAC 308-200-820 DESIGNATION OF RESPONSIBLE OFFICIAL.

(80) WAC 308-200-830 SEPA PUBLIC INFORMATION CENTER.

(81) WAC 308-200-835 REGIONAL SEPA INFORMATION CENTERS.

(82) WAC 308-200-840 APPLICATION OF AGENCY RULES TO ONGOING ACTIONS.

(83) WAC 308-200-860 FEES TO COVER THE COSTS OF SEPA COMPLIANCE.

(84) WAC 308-200-900 APPLICABILITY OF THIS CHAPTER.

(85) WAC 308-200-910 SEVERABILITY.

**WSR 78-09-003
PROPOSED RULES**

**DEPARTMENT OF GENERAL ADMINISTRATION
(Division of Savings and Loan Associations)**

[Filed August 4, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and 33.04.020, that the Supervisor of Savings and Loan Associations, intends to adopt, amend, or repeal rules concerning the making of Savings and Loan Association loans on the security of mobile homes, new chapter 419-32 WAC. (Copy of proposed rules attached, but right reserved to make changes in content.);

that such agency will at 10:00 a.m., Friday, October 20, 1978, in the Office of the Supervisor, Room 217 B, General Administration Building, Olympia, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 10:00 a.m., Monday, October 23, 1978, in the Office of the Supervisor, Room 217 B, General Administration Building, Olympia.

The authority under which these rules are proposed is RCW 34.04.010, 34.04.025, 33.04.020, 33.04.025 and 33.24.230.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to October 20, 1978, and/or orally at 10:00 a.m., Friday, October 20, 1978, Office of the Supervisor, Room 217 B, General Administration Building, Olympia.

Dated: August 4, 1978
By: F. Lee Green
Supervisor

**Chapter 419.32 WAC
REGULATIONS ON MOBILE HOME LENDING BY SAVINGS AND LOAN ASSOCIATIONS**

NEW SECTION

WAC 419-32-010 DEFINITIONS. (1) "Supervisor" refers to the supervisor of savings and loan associations or the lawfully designated successor to his powers and duties;

(2) "Association" or "Savings and Loan Association" includes any savings and loan association chartered under the laws of the State of

Washington, or any other savings and loan association which maintains offices or branches subject to the authority of the supervisor;

(3) "Mobile Home" means all trailers which are "mobile homes" as defined in RCW 82.50.010, but for purposes of this chapter the term "mobile home" shall also include any modular unit designed and built to be attached as one or more additional rooms to a "mobile home" defined in RCW 82.50.010.

(4) "Mobile Home Dealers" means any person, partnership, association or corporation which is in the business of selling mobile homes;

(5) "Flooring Loans" refers to any arrangement whereby a savings and loan association finances or refinances the purchase by a mobile home dealer of one or more mobile homes.

NEW SECTION

WAC 419-32-020 FLOORING LOANS. Any association may make flooring loans to mobile home dealers so long as the association complies with all of the requirements of this chapter.

NEW SECTION

WAC 419-32-030 FLOORING LOANS — DEALER APPLICATION. An association shall not make any loans or otherwise do business with any mobile home dealer without formal approval by the board of directors of the association. Before granting approval for any loan or other financing arrangement with a mobile home dealer, the board of directors of the association, or a committee appointed for that purpose, shall conduct a careful analysis of the dealership and shall require the following written documentation from the dealer:

(a) A dealer application on a form approved by the association, which application must state the name of the mobile home dealer and its corporate or business status, the dealer's primary business address, the location of all sales and storage lots operated by the dealer, the manufacturers represented by the dealer, and a general description of the units sold by the dealer; in addition, the dealer shall state in the application whether each of the manufacturers represented by that dealer subscribes to the uniform invoicing code adopted by the Mobile Home Manufacturer's Association;

(b) A written statement by the dealer of his willingness to sign a recourse or repurchase agreement;

(c) A current financial statement of the dealer, a profit and loss statement covering the last complete semi-annual period and a credit report on the dealer submitted by a recognized credit reporting agency.

NEW SECTION

WAC 419-32-040 ADDITIONAL REQUIREMENTS ON FLOORING LOANS. An association must maintain a continuous register of loans originated through a dealer in order to have readily available status with that dealer. The list should contain at least the following information:

- (a) The loan number
- (b) Amount of the loan
- (c) Date of loan or date of purchase
- (d) Borrower's name
- (e) Dealer's name
- (f) Whether recourse provision included in assignment
- (g) Whether repurchase provision included in assignment
- (h) The interest rate on the loan
- (i) The term of the loan
- (j) The date the loan was repaid and the method of repayment

NEW SECTION

WAC 419-32-050 FLOOR PLAN INVENTORIES. Any savings and loan association which makes flooring loans must maintain at all times a current floor plan inventory listing the mobile home units covered by the flooring arrangement. Every such association shall make a physical inventory at least once in each thirty days to insure that merchandise covered by the flooring arrangement is not sold out of trust. The association shall not inform the dealer in advance when the physical inventory will be taken.

NEW SECTION

WAC 419-32-060 FLOORING LOANS — GEOGRAPHICAL LIMITS. No association shall make a flooring loan to a mobile home dealer unless the inventory covered by the loan is held for sale in the

ordinary course of business by the mobile home dealer within the association's regular lending area.

NEW SECTION

WAC 419-32-070 FLOORING LOANS — MAXIMUM AMOUNT. (a) An association may make flooring loans on new mobile home units in an amount not to exceed one hundred percent of the factory inventory price, including freight charges, plus one hundred percent of the invoice price (also including freight charges) of the manufacturer on any new equipment to be installed by the dealer in a mobile home unit covered by the flooring loan;

(b) Flooring loans on used mobile home units may be made by an association in an amount not to exceed ninety percent of the wholesale value of the unit as established by a reputable trade guide.

NEW SECTION

WAC 419-32-080 FLOORING LOANS — MAXIMUM TERM. Flooring loans may be granted for a term not to exceed ninety days and may be renewed for not more than three additional ninety day terms. Upon each renewal of a flooring loan, the borrower must pay all interest due and must reduce the principal by at least ten percent.

NEW SECTION

WAC 419-32-090 RETAIL LOANS. Any savings and loan association may make retail loans to the ultimate purchaser of a mobile home, whether such a loan be "direct" or "dealer originated," provided that the association complies with any provisions of this chapter relating to retail loans on mobile home units.

NEW SECTION

WAC 419-32-100 RETAIL LOANS — MAXIMUM AMOUNT. Retail loans on new mobile homes may be granted in an amount not to exceed one hundred fifteen percent of the invoice price, including freight charges and including the cost of any additional equipment installed at the time of purchase. Retail loans on used mobile homes may be granted in an amount not to exceed ninety percent of the sale price of the unit, excluding sales tax and license.

NEW SECTION

WAC 419-32-110 RETAIL LOANS — MAXIMUM TERM. No association shall make a retail loan on any mobile home unit for a term in excess of fifteen years on a "singlewide" unit or in excess of twenty years on a "doublewide" unit.

NEW SECTION

WAC 419-32-120 RETAIL LOANS — APPRAISAL. No savings and loan association shall make a retail loan on an existing owner occupied mobile home without obtaining a written appraisal relating the amount of the loan to the value of the mobile home. To meet the requirements of this section, a written appraisal must be made by a qualified appraiser who has no direct or indirect financial interest in the unit being appraised.

NEW SECTION

WAC 419-32-130 MOBILE HOME LOANS — SECONDARY MARKET. No savings and loan association may buy or sell mobile home paper in the secondary market except in accordance with prudent business practice. An association participating in the secondary market on mobile home loans shall be deemed to have met the requirements of this section if the association is following the current regulations and guidelines promulgated by the Federal Home Loan Bank Board for federally chartered savings and loan associations, except where those regulations and guidelines are specifically superseded by regulations adopted or hereafter to be adopted by the state supervisor of savings and loan associations.

NEW SECTION

WAC 419-32-140 RETAIL LOANS — SECURITY AGREEMENT. No loan may be made for the purchase of a mobile home unit unless the association obtains adequate security as evidenced by a

written security agreement enforceable in the jurisdiction of the association whereby the association can acquire title to the security property in the event of default.

NEW SECTION

WAC 419-32-150 RETAIL MOBILE HOME LOANS — APPLICATION. Every association before making a retail mobile home loan must require a written application from the borrower, accompanied by a copy of the sales invoice on the mobile home unit or units which are the subject to the loan, and a current credit report on the borrower. Each written document mentioned in this section shall be retained by the association in its file until at least one year after the loan is repaid in full or six months after the supervisor's next examination of the association following repayment of the loan, whichever occurs later.

NEW SECTION

WAC 419-32-160 MOBILE HOME LOANS — INSURANCE COVERAGE. No association shall make any retail loan or flooring loan on mobile home units without requiring appropriate insurance protection, such protection to be continuously in force and covering all units financed. As a minimum, insurance coverage shall include either (a) a comprehensive mobile home policy or equivalent with loss payable to the association for the full amount of the association's investment in the loan, or (b) a vendor's single interest policy in an amount at least equal to the association's investment in the loan and naming the association as insured.

NEW SECTION

WAC 419-32-170 MOBILE HOME LOANS — ACCOUNTING PRINCIPLES. In connection with mobile home loans, every association shall follow current accounting principles as prescribed by the Federal Home Loan Bank Board.

**WSR 78-09-004
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 78-55—Filed August 4, 1978]**

I, Gordon Sandison, director of state Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, Gordon Sandison, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is this order provides for the least restrictive conservation regulation and permits treaty fishermen to harvest Baker stock coho.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 4, 1978.
By Gordon Sandison
Director

NEW SECTION

WAC 220-28-008F0E CLOSED AREA-MESH SIZE-SALMON Effective August 14 through September 16, 1978 it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes from the waters of the Skagit River upstream from the "Old Faber Ferry Landing" above Concrete, including all tributaries except that portion of the Skagit River lying upstream of the mouth of the Sauk River and downstream of the mouth of the Cascade River.

Effective August 14 through September 16, 1978 it shall be unlawful to take, fish for or possess salmon taken with gill net gear having mesh size smaller than 6-1/2 inches from waters of the Skagit River, except that portion lying upstream of the mouth of the Sauk River and downstream of the mouth of the Cascade River.

REPEALER

Effective August 14, 1978 the following section of the Washington Administrative Code is hereby repealed:

WAC 220-28-008F0D CLOSED AREA-MESH SIZE-SALMON (78-44)

WSR 78-09-005**EMERGENCY RULES****DEPARTMENT OF FISHERIES**

[Order 78-54—Filed August 4, 1978]

I, Gordon Sandison, director of state Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to personal use salmon angling.

I, Gordon Sandison, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is the Hoh River summer chinook run appears substantially improved. This order extends the allowable sport harvest.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 4, 1978.
By Gordon Sandison
Director

NEW SECTION

WAC 220-57-27000B HOH RIVER Notwithstanding the provisions of WAC 220-57-270, effective immediately through September 15, 1978 it shall be lawful to take, fish for or possess salmon for personal use by angling in that portion of the Hoh River downstream from a marker approximately a quarter mile above Highway 101 bridge. **BAG LIMIT:** Six salmon not less than 10 inches, not more than one of which may exceed 24 inches in length. Possession limit of fresh salmon is the same as the daily bag limit.

REPEALER

Effective immediately the following section of the Washington Administrative Code is hereby repealed:

WAC 220-57-27000A HOH RIVER (78-48)

WSR 78-09-006**EMERGENCY RULES****DEPARTMENT OF GAME**

[Order 79—Filed August 7, 1978]

I, Ralph W. Larson, Director, Washington State Department of Game, do promulgate and adopt at Olympia, Washington, the annexed rules relating to: WAC 232-28-60000F Steelhead Closure on the Columbia River.

I, Ralph W. Larson, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to the public interest. A statement of the facts constituting such emergency is Steelhead returns passing through the Columbia River to the Snake River drainage are predicted to be critically low in 1978, and the entire run of mature steelhead, which are defined as those over 20 inches in length, will be necessary to meet spawning escapement needs. It is therefore necessary for the purposes of conservation to protect the critically low run of steelhead trout to prohibit the taking of those mature steelhead over 20 inches in length as they pass into and through the Columbia River from the Megler-Astoria bridge upstream to Highway 12 bridge at Pasco.

Such rule is therefore adopted as an emergency.

This rule is promulgated under the authority of the Director of Game as authorized in RCW 77.12.150 with the approval of the Game Commission as provided in that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), or the Administrative Procedure Act (chapter 34.04 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

This order, after being first recorded in the Order Register of this governing body, shall be forwarded to the Code Reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

APPROVED AND ADOPTED August 7, 1978.

By Ralph W. Larson

NEW SECTION

WAC 232-28-6000F STEELHEAD CLOSURE ON THE COLUMBIA RIVER. Notwithstanding the provisions of WAC 232-28-600, it shall be unlawful for any sports fishermen to take, fish for, or possess steelhead trout over 20 inches in length in the Columbia River from Megler-Astoria bridge upstream to Highway 12 bridge at Pasco.

This regulation shall become effective August 7, 1978.

WSR 78-09-007

EMERGENCY RULES

DEPARTMENT OF NATURAL RESOURCES

[Order 301—Filed August 6, 1978]

I, Bert L. Cole, Commissioner of Public Lands, do promulgate and adopt at Olympia, Washington, the annexed rules relating to the adoption of an emergency rule describing logging restrictions in Western Washington effective at midnight Sunday, August 6, 1978, through midnight Tuesday, August 8, 1978 and Wednesday, August 9, 1978.

I, Bert L. Cole, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is due to existing and forecast weather conditions, the areas included in the logging restrictions are particularly exposed to fire danger.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 76.04.190 and 76.04.200 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 6, 1978.

By Bert L. Cole
Commissioner of Public Lands

AMENDATORY SECTION (Amending Emergency Administrative Order #299, filed 8/3/78)

WAC 332-26-503 ((LOGGING HOOT OWL)) COMPLETE LOGGING SHUTDOWN ((FROM 1200 NOON UNTIL 2400 MIDNIGHT—RESTRICTIONS IN WESTERN WASHINGTON)) ON

AREAS UNDER PROTECTION OF THE DEPARTMENT OF NATURAL RESOURCES IN THE OLYMPIC AREA. Effective at midnight ((Thursday)) Sunday, August ((3)) 6, 1978, through midnight ((Sunday)) Tuesday, August ((6)) 8, 1978, the logging restrictions shall be in force in Zone 2 in Grays Harbor and Jefferson Counties and Zone 3 in Clallam County in the Olympic Area.

During the period of ((hoot owl)) shutdown, all logging, land clearing, milling and other operations that may cause a forest fire to start are to be shutdown on all forest lands protected by the Department of Natural Resources in the above areas.

During the ((hoot owl)) shutdown period, all persons are excluded from logging operating areas and areas of logging slashings, except those persons present in the interest of fire protection.

Burning Permits in Burning Permit Zones B and C are cancelled in the abovenoted Shutdown Zones.

Reviser's Note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

NEW SECTION

WAC 332-26-504 LOGGING RESTRICTION IN WESTERN WASHINGTON UNDER THE PROTECTION OF THE OLYMPIC AREA OF THE DEPARTMENT OF NATURAL RESOURCES. Hoot owl with complete shutdown 1200 noon until 2400 midnight, effective at midnight 2400 Sunday, August 6, 1978, until midnight Tuesday, August 8, 1978, shall be in effect in Zone 1 in Grays Harbor, Jefferson and Clallam Counties, and Zone 17 in Clallam County of those forest lands protected by the Department of Natural Resources in the Olympic Area.

During the period of restrictions, all logging, land clearing, milling and other operations that may cause a forest fire to start are to be shut down on all forest lands protected by the Department of Natural Resources in the above area. Burning Permits in Burning Permit Zones B and C are cancelled in the abovenoted Shutdown Zones.

Reviser's Note: Errors of punctuation or spelling in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

WAC 332-26-504 LOGGING RESTRICTIONS IN WESTERN WASHINGTON UNDER THE PROTECTION OF THE SOUTHWEST AREA OF THE DEPARTMENT OF NATURAL RESOURCES. Hoot owl restrictions shall be in effect from midnight 2400 Sunday, August 6, 1978, until midnight 2400 Wednesday, August 9, 1978. All blasting and power saws shall cease at 1100. All other operations shall cease at 1300 hours (1 P.M.), all in Zone 25 in Clark and Cowlitz Counties, and Zone 27 in Clark and Skamania Counties of those forest lands protected by the Department of Natural Resources in the Southwest Area.

During the period of restrictions, all logging, land clearing, milling and other operations that may cause a forest fire to start are to be shut down on all forest lands

[Signature]

protected by the Department of Natural Resources in the Southwest Area. Burning Permits in Burning Permit Zones B and C are cancelled in the abovenoted Shutdown Zones.

Reviser's Note: Errors of punctuation or spelling in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

WSR 78-09-008

ADOPTED RULES

OLYMPIC COLLEGE

[Order 20, Resolution 48-0678—Filed August 7, 1978]

Be it resolved by the board of trustees, Community College #3 of the Olympic College, acting at Art Lecture Room, A-103, Olympic College main campus, 16th and Chester, Bremerton, WA, that it does amend the annexed rules relating to regular meetings of the board of trustees, WAC 132C-104-060.

This action is taken pursuant to Notice No. WSR 78-05-090 filed with the code reviser on May 3, 1978. Such rules shall take effect pursuant to RCW 28B.19.050(2).

This rule is promulgated under the general rule-making authority of the Olympic College as authorized in chapter 28B.50 RCW.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED June 27, 1978.

By Bruce H. Leslie, Ph.D.
Administrative Assistant to the President

**Chapter 132C-104 WAC
BYLAWS AND STANDING ORDERS OF GOV-
ERNING BOARDS**

AMENDATORY SECTION (Amending Order 18, filed 4/6/78)

WAC 132C-104-060 REGULAR MEETINGS OF THE BOARD OF TRUSTEES. One regular meeting of the Board of Trustees shall be held each month. This meeting shall be held on the fourth Tuesday on each month and begin at ((8:00 p.m.)) 7:30 p.m., in the Art Lecture Room A-103, Olympic College Campus, Chester Street, Bremerton, Washington, or at such other time and place as the Board may direct from time to time and as published in the State Register. The location of each meeting is available in the office of the President, Olympic College, 16th and Chester Streets, Bremerton, Washington.

Reviser's Note: WAC 1-13-130 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

WSR 78-09-009

ADOPTED RULES

OLYMPIC COLLEGE

[Order 19, Resolution 47-0678—Filed August 7, 1978]

Be it resolved by the board of trustees, Community College #3, that it does promulgate and adopt the annexed rules relating to:

WAC 132C-122-010	Policy.
WAC 132C-122-020	Notification.
WAC 132C-122-030	Informal hearing notification.
WAC 132C-122-040	Procedure for informal hearing.

This action is taken pursuant to Notice No. WSR 78-05-090 filed with the code reviser on May 3, 1978. Such rules shall take effect pursuant to RCW 28B.19.050(2).

This rule is promulgated under the general rule-making authority of the Olympic College as authorized in chapter 28B.50 RCW.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED June 27, 1978.

By Bruce H. Leslie, Ph.D.
Administrative Assistant to the President

**Chapter 132C-122 WAC
WITHHOLDING SERVICES FOR OUTSTANDING
DEBTS**

WAC

132C-122-010	POLICY
132C-122-020	NOTIFICATION
132C-122-030	INFORMAL HEARING NOTIFICATION
132C-122-040	PROCEDURE FOR INFORMAL HEARING

NEW SECTION

WAC 132C-122-010 POLICY. If any person, including faculty, staff, student or former student, be indebted to the institution for an outstanding overdue debt, the institution need not provide any further services of any kind to such individual, including but not limited to transmitting files, records, transcripts or other services which have been requested by any such person. The institution reserves the right to set off any funds received from an individual against an outstanding overdue debt.

NEW SECTION

WAC 132C-122-020 NOTIFICATION. Upon receipt of such a request for services where there is an outstanding debt due the institution from that person, the institution shall notify the person by first-class mail that the services will not be provided since there is an outstanding debt due the institution, and further that

until that debt is satisfied, no such services as are requested will be provided the individual. When the institution exercises its right of set off, the institution shall notify the person by first-class mail of the amount applied and balance due, if any.

NEW SECTION

WAC 132C-122-030 INFORMAL HEARING NOTIFICATION. The letter of notification contained in WAC 132C-122-020 shall also notify the individual that he has a right to a hearing before a person designated by the president of the institution to the extent that he believes the records of the institution are incorrect concerning his indebtedness. The letter shall also indicate that the request for the hearing must be made within twenty days from the date of mailing said letter.

NEW SECTION

WAC 132C-122-040 PROCEDURE FOR INFORMAL HEARING. Upon receipt of a timely request for a hearing, the person designated by the president shall have the records and files of the institution available for review and, at that time, shall hold an informal hearing concerning whether the individual in fact owes or owed any outstanding debts to the institution. After the informal hearing, a decision shall be rendered by the president's designee indicating whether in fact the institution is correct in withholding services or applying set off for the outstanding debt, and if the outstanding debt is in fact owed by the individual involved, the set off shall remain applied and no further services shall be provided. Notification of this shall be sent to the individual within five days after the hearing. Said decision shall constitute an informal proceeding established by the institution pursuant to the Higher Education Administrative Procedures Act as defined in RCW 28B.19.110.

**WSR 78-09-010
EMERGENCY RULES
DEPARTMENT OF NATURAL RESOURCES
[Order 302—Filed August 7, 1978]**

I, Bert L. Cole, Commissioner of Public Lands, do promulgate and adopt at Olympia, Washington, the annexed rules relating to the adoption of an emergency rule amending logging restrictions in Administrative Order No. 301 and identifying new logging restrictions in Western Washington under the protection of the Department of Natural Resources effective immediately through midnight August 10, 1978.

I, Bert L. Cole, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is due to existing and forecast weather conditions, the areas included in the logging restrictions are particularly exposed to fire danger.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 76.04.190 and 76.04.200 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 7, 1978.

By Bert L. Cole
Commissioner of Public Lands

AMENDATORY SECTION (Amending Emergency Administrative Order #301, filed 8/6/78)

WAC 332-26-504 LOGGING RESTRICTION IN WESTERN WASHINGTON UNDER THE PROTECTION OF THE OLYMPIC AREA OF THE DEPARTMENT OF NATURAL RESOURCES. Hoot owl with complete shutdown 1200 noon until 2400 midnight, effective at midnight 2400 Sunday, August 6, 1978, until midnight Tuesday, August 8, 1978, shall be in effect in Zone 1 in Grays Harbor, Jefferson and Clallam Counties, and Zone 17 in Clallam County of those forest lands protected by the Department of Natural Resources in the Olympic Area.

During the period of restrictions, all logging, land clearing, milling and other operations that may cause a forest fire to start are to be shut down on all forest lands protected by the Department of Natural Resources in the above area. Burning Permits in Burning Permit Zones B and C are cancelled in the abovenoted Shutdown Zones.

WAC 332-26-504 LOGGING RESTRICTIONS IN WESTERN WASHINGTON UNDER THE PROTECTION OF THE SOUTHWEST AREA OF THE DEPARTMENT OF NATURAL RESOURCES. ((*Hoot owl restrictions*)) Complete shutdown shall be in effect from ((midnight 2400 Sunday, August 6, 1978)) immediately until midnight 2400 ((Wednesday)) Thursday, August ((9)) 10, 1978((.)) ((All blasting and power saws shall cease at 1100. All other operations shall cease at 1300 hours (1 P.M. att))) in Zone 25 in Clark and Cowlitz Counties, and Zone 27 in Clark and Skamania Counties of those forest lands protected by the Department of Natural Resources in the Southwest Area.

Reviser's Note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

NEW SECTION

WAC 332-26-505 LOGGING RESTRICTIONS IN WESTERN WASHINGTON UNDER THE PROTECTION OF THE CENTRAL, SOUTHWEST & SOUTH PUGET SOUND AREAS OF THE DEPARTMENT OF NATURAL RESOURCES. Immediately complete shut down of Zone 5 in Pacific, Lewis,

Cowlitz, Wahkiakum, and Thurston Counties and Zone 10 in Lewis County will be in effect through midnight Thursday August 10, 1978.

Effective at midnight tonight, August 7, 1978, Zone 10 in Pierce and King Counties, Zone 14 in Snohomish, King and Pierce Counties, Zone 19 in Skagit, Wahkiakum and Snohomish Counties and Zone 24 in Pierce County under the protection of the Department of Natural Resources, shall be completely shut down until midnight, Thursday August 10, 1978.

During the period of restrictions, all logging, land clearing, milling and other operations that may cause a forest fire to start are to be shut down on all forest lands protected by the Department of Natural Resources in the Southwest Area. Burning Permits in Burning Permit Zones B and C are cancelled in the abovenoted Shutdown Zones.

**WSR 78-09-011
EMERGENCY RULES
DEPARTMENT OF NATURAL RESOURCES**
[Order 303—Filed August 8, 1978]

I, Bert L. Cole, Commissioner of Public Lands, do promulgate and adopt at Olympia, Washington, the annexed rules relating to the adoption of an emergency rule amending logging restrictions in Administrative Order No. 302 and identifying new logging restrictions in Western Washington under the protection of the Department of Natural Resources effective immediately through midnight August 10, 1978.

I, Bert L. Cole, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is due to existing and forecast weather conditions, the areas included in the logging restrictions are particularly exposed to fire danger.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 76.04.190 and 76.04.200 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 7, 1978.

By Bert L. Cole
Commissioner of Public Lands

AMENDATORY SECTION (Amending Emergency Administrative Order #302)

WAC 332-26-505 LOGGING RESTRICTIONS IN WESTERN WASHINGTON UNDER THE PROTECTION OF THE CENTRAL, SOUTHWEST(¶), NORTHWEST AND SOUTH PUGET SOUND AREAS OF THE DEPARTMENT OF NATURAL RESOURCES. Immediately complete shut down of Zone 5 in Pacific, Lewis, Cowlitz, Wahkiakum, and Thurston Counties and Zone 10 in Lewis County will be in effect through midnight Thursday August 10, 1978.

Effective at midnight tonight, August 7, 1978, Zone 10 in Pierce and King Counties, Zone 14 in Snohomish, King and Pierce Counties, Zone 19 in Skagit, ((Wahkiakum)) Whatcom and Snohomish Counties and Zone 24 in Pierce County under the protection of the Department of Natural Resources, shall be completely shut down until midnight, Thursday August 10, 1978.

During the period of restrictions, all logging, land clearing, milling and other operations that may cause a forest fire to start are to be shut down on all forest lands protected by the Department of Natural Resources in the Southwest Area. Burning Permits in Burning Permit Zones B and C are cancelled in the abovenoted Shutdown Zones.

Vl
**WSR 78-09-012
ADOPTED RULES
LIQUOR CONTROL BOARD**
[Order 67, Resolution 76—Filed August 8, 1978]

Be it resolved by the Washington State Liquor Control Board, acting at Capitol Plaza Bldg., 1025 East Union Avenue, 5th Floor, Olympia, WA, that it does promulgate and adopt the annexed rules relating to containers—sizes and types permitted (Rule 66), WAC 314-24-080.

This action is taken pursuant to Notice No. WSR 78-07-044 filed with the code reviser on 6/27/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the Washington State Liquor Control Board as authorized in RCW 66.08.030, 66.08.050, 66.98.070 and Title 34 RCW.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 8, 1978.

By L. H. Pedersen
Chairman

AMENDATORY SECTION (Amending Order 49, filed 8/26/76)

WAC 314-24-080 CONTAINERS—SIZES AND TYPES PERMITTED (RULE 66). (1) All wine

sold for consumption in the state shall be sold in packages or containers of the following sizes: 2 ounces, 3 ounces, 4 ounces, 2/5 pint, 1/2 pint, 4/5 pint, one pint, 4/5 quart, one quart, 2/5 gallon, 1/2 gallon, 4/5 gallon, one gallon, 3 gallon[s] and 4.9 gallons. In addition, for aperitif wines only, 15/16 quart.

(2) No domestic winery or wine wholesaler, or wine importer shall adopt or use any packages for wine differing in sizes and case capacities from the following classification, to wit: Manufacturer's original full cases of 2 ounces, 3 ounces, or 4 ounces; 24 or 48 2/5 pint, 24 or 48 1/2 pint, 12 or 24 4/5 pint, 24 one pint, 12 4/5 quart, 12 15/16 quart, 12 one quart, 3 or 6 2/5 gallon, 6 1/2 gallon, 3 or 4 4/5 gallon, 4 one gallon, 1, 2, or 3 three gallons, and 1 or 2 4.9 gallons: PROVIDED, HOWEVER, That the case capacity provisions set forth herein shall not apply to cases containing multiple packages of authorized sizes when originally packed by the manufacturer of such wine to comprise specific "gift-type" container units.

(3) Wine referred to in subsections (1) and (2) of this regulation may also be packaged and sold in metric standards of fill and in case sizes as are established in 27 Code of Federal Regulations, to wit: 3 liters (101 fl. oz.) 4 bottles per case; 1.5 liters (50.7 fl. oz.) 6 bottles p/c; one liter (33.8 fl. oz.) 12 bottles p/c; 750 milliliters (25.4 fl. oz.) 12 bottles p/c; 375 milliliters (12.7 fl. oz.) 24 bottles p/c; 187 milliliters (6.3 fl. oz.) 48 bottles p/c; 100 milliliters (3.4 fl. oz.) 60 bottles p/c. Wine may be bottled or packed in containers of four liters or larger if the containers are filled and labeled in quantities of even liters.

(4) Wine imported from foreign countries may be packaged and container sizes approved by the Bureau of Alcohol, Tobacco, and Firearms, U.S. Treasury Department for marketing within the United States. A copy of the federal certificate of label approval must be submitted with each such request for authorization.

(5) For taxing purposes and in all reports to the board, the above enumerated designations of package sizes, and no others, shall be used.

**WSR 78-09-013
EMERGENCY RULES
DEPARTMENT OF FISHERIES**
[Order 78-56—Filed August 8, 1978]

I, Gordon Sandison, director of state Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, Gordon Sandison, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency in this order is necessary to preclude development of a specific gillnet fishery that

would target on sturgeon, but because of seasonal restrictions, would harvest salmon as incidental catch.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 8, 1978.
By Gordon Sandison
Director

NEW SECTION

WAC 220-32-02200A LAWFUL GEAR-STURGEON Notwithstanding the provisions of WAC 220-32-022, it shall be unlawful to take, fish for or possess sturgeon taken with gillnet gear for commercial purposes except that it shall be lawful to retain sturgeon for commercial purposes taken incidental to any lawful commercial salmon fishery in Columbia River Management and Catch Reporting Area 1A, 1B, 1C, 1D and 1E.

**WSR 78-09-014
EMERGENCY RULES
DEPARTMENT OF NATURAL RESOURCES**
[Order 304—Filed August 8, 1978]

I, Bert L. Cole, Commissioner of Public Lands, do promulgate and adopt at Olympia, Washington, the annexed rules relating to the adoption of an emergency rule amending logging restrictions in Administrative Order No. 302 in Western Washington under the protection of the Department of Natural Resources effective immediately through August 10, 1978 in the Southwest Area and effective 2400 midnight Tuesday August 8, 1978 through August 10, 1978 in the Olympic Area.

I, Bert L. Cole, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is due to existing and forecast weather conditions, the areas included in the logging restrictions are particularly exposed to fire danger.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 76.04.190 and 76.04.200 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure

Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 8, 1978.

By Bert L. Cole
Commissioner of Public Lands

AMENDATORY SECTION (Amending Emergency Administrative Order #302, filed 8/7/78)

WAC 332-26-504 LOGGING RESTRICTION IN WESTERN WASHINGTON UNDER THE PROTECTION OF THE OLYMPIC ((AREA)) AND SOUTHWEST AREAS OF THE DEPARTMENT OF NATURAL RESOURCES. ((Hoot owl with)) Complete shutdown ((+200 noon until 2400 midnight;)) effective at midnight 2400 ((Sunday)) Tuesday August ((6)) 8, 1978 until midnight ((Tuesday)) Thursday August ((8)) 10, 1978 in Zone 1, ((in Grays Harbor, Jefferson and Clallam Counties, and Zone 17 in Clallam County)) 2, 3, 13, 16 & 17 in Grays Harbor, Jefferson and Clallam Counties ((of)) on those forest lands protected by the Department of Natural Resources in the Olympic Area.

Complete shutdown shall be in effect immediately until midnight 2400 Thursday August 10, 1978 in Zone 25 in Clark and Cowlitz Counties and Zone 27 in Clark and Skamania Counties of those forest lands protected by the DNR in the Southwest Area.

During the period of restrictions, all logging, land clearing, milling and other operations that may cause a forest fire to start are to be shutdown on all forest lands protected by the Department of Natural Resources in the above area. Burning Permits in Burning Permit Zones B and C are cancelled in the above noted shutdown Zones.

Reviser's Note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

✓ ✓
WSR 78-09-015
ADOPTED RULES
DEPARTMENT OF ECOLOGY
[Order DE 77-31—Filed August 8, 1978]

I, Wilbur G. Hallauer, director of the Department of Ecology, do promulgate and adopt at the Department of Ecology, Lacey, Washington, the annexed rules relating to reservation of water from the John Day/McNary Pools reach of the Columbia River; creating chapter 173-531 WAC—Water resource program for the John Day—McNary pools reach of the Columbia River, WRIA 31 and parts of WRIAS 32, 33, 36, and 37.

This action is taken pursuant to Notice Nos. 7868, WSR 78-02-042, 78-05-066 and 78-07-070 filed with the code reviser on 11/14/77, 1/17/78, 4/27/78 and 6/30/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 90.54.040 and 90.54.050 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 8, 1978.

By: Wilbur G. Hallauer
Director

Chapter 173-531 WAC
WATER RESOURCE PROGRAM FOR THE JOHN DAY—MCNARY POOLS REACH OF THE COLUMBIA RIVER, WRIA 31 AND PARTS OF WRIAS 32, 33, 36, AND 37

WAC

<u>173-531-010</u>	<u>Purpose.</u>
<u>173-531-020</u>	<u>Definitions.</u>
<u>173-531-030</u>	<u>Existing Water Rights Protected.</u>
<u>173-531-040</u>	<u>Reservation for Future Irrigation Use.</u>
<u>173-531-050</u>	<u>Reservation for Municipal Use.</u>
<u>173-531-060</u>	<u>Department to Develop an Instream Resource Protection Program.</u>
<u>173-531-070</u>	<u>Department to Review Regulation.</u>

NEW SECTION

WAC 173-531-010 PURPOSE. This regulation is adopted in accordance with the Water Resources Management Regulation, chapter 173-500 WAC, which was promulgated under the authority of the Water Resources Act of 1971, chapter 90.54 RCW. This chapter applies to the surface waters in the vicinity of John Day and McNary Pools of the Columbia River and the Lower Snake River.

NEW SECTION

WAC 173-531-020 DEFINITIONS. For the purposes of this chapter, the following definitions shall be used.

(1) "Department" means the Washington State department of ecology.

(2) "Reservation" means the designation of specific amounts of the water resources for specific future beneficial uses.

(3) "John Day/McNary Pools Reach," means that part of the Columbia River from John Day Dam upstream to the upper limits of McNary Pool including the upper limits of the pool in the Snake River, the Yakima River, and the Walla Walla River. This reach extends from river mile 216 to river mile 352 of the Columbia River, and includes the lower 10 miles of the Snake River, the lower 6 miles of the Yakima River, and the lower 9 miles of the Walla Walla River.

NEW SECTION

WAC 173-531-030 EXISTING WATER RIGHTS PROTECTED. Nothing in the chapter shall be construed to lessen, enlarge, or modify existing rights acquired by appropriation or by other means, including federal reserved rights.

NEW SECTION

WAC 173-531-040 RESERVATION FOR FUTURE IRRIGATION USE. (1) One million three hundred sixty thousand (1,360,000) acre-feet per year are hereby reserved from the John Day/McNary Pools reach to provide irrigation water supply for the 340,000 acres of irrigation agriculture that is projected to be developed by the year 2020 using this reach as a source of water. The 340,000 acres includes lands under existing water right permits, pending applications and land for which appropriation applications have not yet been filed.

(2) The priority dates of existing permits and applications covered by the reservation are the dates of original filing of appropriation applications with the department. The priority dates of future filings under the reservation shall be the date of adoption of this regulation as against all other use categories regardless of date of filing.

(3) Waters represented by cancelled or relinquished applications and permits will still be considered reserved and may be subsequently filed on by interested appropriators. The reservation of water for irrigation purposes shall expire at such time as the entire reserved amount is developed under certificated water rights unless modified hereafter. The department shall keep account of water rights established under the reservation.

NEW SECTION

WAC 173-531-050 RESERVATION FOR MUNICIPAL USE. (1) Twenty-six thousand (26,000) acre-feet of water per year is reserved from the John Day/McNary Pools reach to provide for future municipal supply needs to the year 2020.

(2) The department shall keep account of water rights established under the municipal supply reservation. The reservation shall expire when the entire reserved amount is developed under certificated water rights.

(3) The reservation for municipal use does not guarantee any existing or future supply entity a specific quantity of water. Municipal water supply utilities must petition the department for reservation of water, for their particular needs, according to procedures outlined in chapter 173-590 WAC. (Procedures Relating to the Reservation of Water for Future Public Water Supply.)

(4) The priority dates of water right filings under the municipal reservation shall be the date of adoption of this regulation, as against all other use categories, regardless of date of filing.

NEW SECTION

WAC 173-531-060 DEPARTMENT TO DEVELOP AN INSTREAM RESOURCE PROTECTION

PROGRAM. (1) The department will develop a program for insuring the future viability of instream resource values of the main stem of the Columbia River and the main stem of the Snake River, including fish, wildlife, recreation, aesthetics, navigation, and hydropower resource values.

(2) The department will consult and cooperate with appropriate state and federal authorities and with the public in development of this program.

(3) The department will prepare a report by March 31, 1979 outlining alternatives and proposing a recommended course of action for protecting instream resources. Appropriate rules shall be proposed for adoption if necessary to implement the program.

NEW SECTION

WAC 173-531-070 DEPARTMENT TO REVIEW REGULATION. (1) The department shall review the reservations for future irrigation use and future municipal use every five years after adoption of this management regulation until the reservations expire.

(2) The department will determine whether the reserved quantity should be amended due to changes in economic or environmental conditions or due to changes in public policy.

(3) In reviewing the reservations, the department will evaluate the accounting of water rights established under the reservations as provided in WAC 173-531-040(3) and 173-531-050(2). The department will also evaluate and update the accounts of ground water development and use on lands relating to the reserved waters and reduce the reserved amounts of surface water as may be appropriate.



WSR 78-09-016

ADOPTED RULES

DEPARTMENT OF GENERAL ADMINISTRATION
[Order DE 78-4—Filed August 8, 1978]

I, Vernon L. Barnes, director of the Department of General Administration do promulgate and adopt at the office of the director, Department of General Administration, 218 General Administration Bldg., Olympia, WA, the annexed rules relating to chapter 236-16 WAC, Capitol Lake and adjoining lands and roadways, amending chapter 236-16 WAC.

This action is taken pursuant to Notice No. WSR 78-07-068 filed with the code reviser on 6/30/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 46.08.150 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 8, 1978.

By: Vernon L. Barnes
Director, Department of General Admin.

Chapter 236-16 WAC
CAPITOL LAKE & ADJOINING LANDS AND
ROADWAYS

AMENDATORY SECTION (Amending section 1, filed 4/15/65.)

WAC 236-16-010 DEFINITIONS. For the purpose of these rules:

- (1) "Boat" shall include any vehicle or device capable of being operated in the water;
- (2) "Motorboat" shall include any vehicle, device, or boat which is in itself a self-propelled unit and whether or not machinery is the principal source of propulsion;
- (3) "Operate" shall mean to navigate or otherwise use a boat or motorboat.
- (4) "Public transportation vehicles" shall include any motor vehicle operated by the state, county, city, or other public agency.

AMENDATORY SECTION (Amending section 6, filed 4/15/65.)

WAC 236-16-060 USE OF ROADWAYS. All busses, trucks, cargo trailers and similar equipment which exceed a five ton load limit and similar heavy duty vehicles are prohibited from traveling on the West Parkway Road and other roadways posted for restrictive use. This provision shall not apply to public transportation vehicles.

WSR 78-09-017
EMERGENCY RULES
SECRETARY OF STATE
[Order 78-3—Filed August 9, 1978]

I, Bruce K. Chapman, Secretary of State of the State of Washington, do promulgate and adopt at Olympia, Washington, the annexed rules relating to statements and photographs submitted for publication in the official candidates' pamphlet pursuant to chapter 29.80 RCW.

I, Bruce Chapman, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is candidate's for those partisan and non-partisan offices which may appear in the official candidates' pamphlet will be preparing and submitting their statements and photographs during the next thirty days; it is essential that consistent and impartial standards for preparing, submitting, and processing this material be in force at this time.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 29.80.070 which directs that the Secretary of State has authority to implement the provisions of chapter 29.80 RCW.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 8, 1978.

By: Bruce K. Chapman
Secretary of State

NEW SECTION

WAC 434-80-010. DEADLINE FOR SUBMISSION OF STATEMENTS AND PHOTOGRAPHS. Statements and photographs of candidates submitted for publication in the official candidates' pamphlet pursuant to RCW 29.80.020 shall be filed in the office of the secretary of state not later than 5:00 pm on the Friday prior to the state primary held pursuant to RCW 29.13.070. Publication of statements or photographs received after this date will be solely dependent on the schedule for composition of those portions of candidates' pamphlet in which that statement is to appear.

NEW SECTION

WAC 434-80-020. REJECTION OF STATEMENT OR PHOTOGRAPH. Any statement of a candidate submitted for publication in the official candidates' pamphlet pursuant to RCW 29.80.020 which, in the opinion of the secretary of state, contains any obscene, profane, libelous, or defamatory matter or any language or matter the circulation of which by mail is prohibited by federal law shall be rejected. Any photograph showing the uniform or insigne of any organization which advocates or teaches racial or religious intolerance shall be rejected. Within five days of the rejection of a statement or photograph, the candidate may appeal such rejection to a board of review consisting of the governor, lieutenant governor, and attorney general. The board shall render a decision within three business days of the appeal and such decision to accept or reject the statement or photograph shall be final.

NEW SECTION

WAC 434-80-030. PHOTOGRAPHS. Photographs of candidates submitted for publication in the official candidates' pamphlet pursuant to RCW 29.80.020 shall be no more than five years old. Such photographs shall be black and white glossy prints of the head and shoulders only and shall be no larger than eight inches by ten inches or smaller than four inches by five inches.

NEW SECTION

WAC 434-80-040. LENGTH OF STATEMENTS. The maximum number of words for statements of candidates to be published in the official

candidates' pamphlet pursuant to RCW 29.80.040 shall be determined according to the office sought as follows:

OFFICE	WORDS
<i>State representative</i>	100
<i>State senator, judge of the superior court, judge of the court of appeals, judge of the supreme court, lieutenant governor, secretary of state, auditor, treasurer, attorney general, superintendent of public instruction, commissioner of public lands, and insurance commissioner.</i>	200
<i>Governor, United States representative, and United States senator.</i>	300

If a statement contains more than the maximum number of words permitted for that particular office, all material after the last complete sentence which is not in excess of the maximum length, counting from the beginning of the statement, will be omitted in the publication of the official candidates' pamphlet.

NEW SECTION

WAC 434-80-050. RESTRICTIONS ON STYLE FOR CANDIDATES STATEMENT. The secretary of state finds that it is in the public interest that all statements published in the official candidates' pamphlet pursuant to RCW 29.80.050 be of substantially similar format and style. To promote such consistency:

1) all statements shall be typeset in block paragraph style without tables, lists, or other material requiring multiple indentation; and

2) words or other material which are underlined, in italics, or all in upper case letters will be typeset in italics.

NEW SECTION

WAC 434-80-060. CONTENT OF STATEMENTS FOR CANDIDATES PAMPHLET. The secretary of state finds that it is in the public interest that all statements published in the official candidates' pamphlet pursuant to RCW 29.80.050 be accurate as to form and syntax. To promote such accuracy:

1) all statements submitted for publication in the official candidates' pamphlet pursuant to RCW 29.80.020 shall be typewritten on plain sheets of white paper measuring eight and one-half inches by eleven inches and containing the name, mailing address, and telephone number of the candidate;

2) the secretary of state shall not make any change in the content of any statement submitted for publication in the official candidates' pamphlet pursuant to RCW 29.80.020 which alters the meaning or substance of the statement; and

3) the secretary of state shall correct any incidental errors of spelling, grammar, and punctuation which he feels would unfairly prejudice the statement of that candidate or confuse the voter.

NEW SECTION

WAC 434-80-070. EDITING AND REVIEW. If the secretary of state finds it necessary to make changes in the length or format of a statement or corrections in

grammar, spelling, or punctuation in the text of a statement of a candidate submitted for publication in the official candidates' pamphlet pursuant to RCW 29.80.020 on or before the third Friday prior to the state primary held pursuant to RCW 29.13.070, a proof copy of the statement to be published showing the changes in length or format shall be sent to the candidate at the address on his or her statement. Candidates who submit statements after the third Friday prior to the state primary held pursuant to RCW 29.13.070 will not be notified of changes in the length or format of their statements or of other corrections made pursuant to WAC 434-80-040, WAC 434-80-050, and WAC 434-80-060.



WSR 78-09-018
ADOPTED RULES
SECRETARY OF STATE
[Order 78-4—Filed August 9, 1978]

I, Bruce K. Chapman, Secretary of State of the State of Washington, do promulgate and adopt at Olympia, Washington, the annexed rules relating to statements and photographs submitted for publication in the official candidates' pamphlet pursuant to chapter 29.80 RCW.

This action is taken pursuant to Notice No. WSR 78-07-092 filed with the code reviser on July 5, 1978. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 29.80.070 which directs that the Secretary of State has authority to implement the provisions of chapter 29.80 RCW.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 8, 1978.

By: Bruce K. Chapman
Secretary of State

NEW SECTION

WAC 434-80-010. DEADLINE FOR SUBMISSION OF STATEMENTS AND PHOTOGRAPHS. Statements and photographs of candidates submitted for publication in the official candidates' pamphlet pursuant to RCW 29.80.020 shall be filed in the office of the secretary of state not later than 5:00 pm on the Friday prior to the state primary held pursuant to RCW 29.13.070. Publication of statements and photographs received after this date will be solely dependent on the schedule for composition of those portions of candidates' pamphlet in which that statement is to appear.

NEW SECTION

WAC 434-80-020. REJECTION OF STATEMENT OR PHOTOGRAPH. Any statement of a candidate submitted for publication in the official candidates' pamphlet pursuant to RCW 29.80.020 which, in the opinion of the secretary of state, contains

any obscene, profane, libelous, or defamatory matter or any language or matter the circulation of which by mail is prohibited by federal law shall be rejected. Any photograph showing the uniform or insigne of any organization which advocates or teaches racial or religious intolerance shall be rejected. Within five days of the rejection of a statement or photograph, the candidate may appeal such rejection to a board of review consisting of the governor, lieutenant governor, and attorney general. The board shall render a decision within three business days of the appeal and such decision to accept or reject the statement or photograph shall be final.

NEW SECTION

WAC 434-80-030. PHOTOGRAPHS. Photographs of candidates submitted for publication in the official candidates' pamphlet pursuant to RCW 29.80.020 shall be no more than five years old. Such photographs shall be black and white glossy prints of the head and shoulders only and shall be no larger than eight inches by ten inches or smaller than four inches by five inches.

NEW SECTION

WAC 434-80-040. LENGTH OF STATEMENTS. The maximum number of words for statements of candidates to be published in the official candidates' pamphlet pursuant to RCW 29.80.040 shall be determined according to the office sought as follows:

OFFICE	WORDS
State representative	100
State senator, judge of the superior court, judge of the court of appeals, judge of the supreme court, lieutenant governor, secretary of state, auditor, treasurer, attorney general, superintendent of public instruction, commissioner of public lands, and insurance commissioner.	200
Governor, United States representative, and United States senator.	300

If a statement contains more than the maximum number of words permitted for that particular office, all material after the last complete sentence which is not in excess of the maximum length, counting from the beginning of the statement, will be omitted in the publication of the official candidates' pamphlet.

NEW SECTION

WAC 434-80-050. RESTRICTIONS ON STYLE FOR CANDIDATES' STATEMENT. The secretary of state finds that it is in the public interest that all statements published in the official candidates' pamphlet pursuant to RCW 29.80.050 be of substantially similar format and style. To promote such consistency:

- 1) all statements shall be typeset in block paragraph style without tables; lists, or other material requiring multiple indentation; and
- 2) words or other material which are underlined, in italics, or all in upper case letters will be typeset in italics.

NEW SECTION

WAC 434-80-060. CONTENT OF STATEMENTS FOR CANDIDATES' PAMPHLET. The secretary of state finds that it is in the public interest that all statements published in the official candidates' pamphlet pursuant to RCW 29.80.050 be accurate as to form and syntax. To promote such accuracy:

1) all statements submitted for publication in the official candidates' pamphlet pursuant to RCW 29.80.020 shall be typewritten on plain sheets of white paper measuring eight and one-half inches by eleven inches and containing the name, mailing address, and telephone number of the candidate;

2) the secretary of state shall not make any change in the content of any statement submitted for publication in the official candidates' pamphlet pursuant to RCW 29.80.020 which alters the meaning or substance of the statement; and

3) the secretary of state shall correct any incidental errors of spelling, grammar, and punctuation which he feels would unfairly prejudice the statement of that candidate or confuse the voter.

NEW SECTION

WAC 434-80-070. EDITING AND REVIEW. If the secretary of state finds it necessary to make changes in the length or format of a statement or corrections in grammar, spelling, or punctuation in the text of a statement of a candidate submitted for publication in the official candidates' pamphlet pursuant to RCW 29.80.020 on or before the third Friday prior to the state primary held pursuant to RCW 29.13.070, a proof copy of the statement to be published showing the changes in length or format shall be sent to the candidate at the address on his or her statement. Candidates who submit statements after the third Friday prior to the state primary held pursuant to RCW 29.13.070 will not be notified of changes in the length or format of their statements or of other corrections made pursuant to WAC 434-80-040, WAC 434-80-050, and WAC 434-80-060.

**WSR 78-09-019
PROPOSED RULES
CENTRAL WASHINGTON UNIVERSITY**
[Filed August 10, 1978]

Notice is hereby given in accordance with the provisions of RCW 28B.19.030 and 28B.40.120, that the Central Washington University intends to adopt, amend, or repeal rules concerning regular meetings of the board of trustees, amending chapter 106-08 WAC;

that such institution will at 2:00 p.m., Tuesday, November 7, 1978, in the Samuelson Union Building, Room 207, on the C.W.U. campus, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 3:00 p.m., Tuesday, November 7, 1978, in the Samuelson Union Building, Room 207, on the C.W.U. campus.

The authority under which these rules are proposed is RCW 28B.40.120.

Interested persons may submit data, views, or arguments to this institution in writing to be received by this institution prior to November 7, 1978, and/or orally at 2:00 p.m., Tuesday, November 7, 1978, Samuelson Union Building, Room 207, on the C.W.U. campus.

Dated: August 8, 1978
By: Barbara A. Davis
Administrative Secretary

AMENDATORY SECTION (Amending Order 39, filed 7/11/78)

WAC 106-08-001 REGULAR MEETING TIME. The regular meetings of the Board of Trustees of Central Washington University shall be held on the second Friday of each month at 8:00 p.m. in ((rooms 204-205, Samuelson Union Building)) room 143 in Bouillon Library on the Central Washington University campus in Ellensburg, Washington.



**WSR 78-09-020
ADOPTED RULES**

BELLEVUE COMMUNITY COLLEGE
[Order 60, Resolution 115—Filed August 10, 1978]

Be it resolved by the board of trustees, of the Bellevue Community College, Community College District VIII, acting at Bellevue Campus, 3000 Landerholm Circle S.E., Bellevue, WA 98007, that it does promulgate and adopt the annexed rules relating to the adoption of permanent rules adding sections to chapter 132H-160 WAC—Admissions, Residency Classification and Registration Regulations—Schedule of Fees and Financial Aid for Community College District VIII relating to tuition and fee waivers.

This action is taken pursuant to Notice No. WSR 78-07-004 filed with the code reviser on 6/12/78. Such rules shall take effect pursuant to RCW 28B.19.050(2).

This rule is promulgated under the general rule-making authority of the Bellevue Community College, Community College District VIII as authorized in RCW 28B.50.140.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 8, 1978.

By Thomas E. O'Connell
Secretary

NEW SECTION

WAC 132H-160-053 PROCEDURE FOR IMPLEMENTING TUITION AND FEE WAIVERS AUTHORIZED PURSUANT TO RCW 28B.15.530.

(1) Tuition and fee waivers for needy or disadvantaged students in any fiscal year, excluding waivers granted for Summer Quarter enrollments, as authorized by RCW 28B.15.530 may not exceed three percent of any college district's estimated total collections of tuition, operating,

and services and activities fees had no such waivers been made, after deducting the portion of that total amount which is attributable to the difference between resident and non-resident tuition and fees.

(2) The estimated total collection of tuition and fees shall be based on the budgeted, state supported, four-quarter annual average enrollment, minus the actual tuition and fees collected for the summer quarter of the year being estimated.

(3) Each district may waive an amount not to exceed three percent of the estimated collections in the event that actual enrollments or collections exceed estimated collections. Conversely, the three percent waiver capacity based upon estimated collections is allowable even though actual collections may not be as high as the estimate.

(4) Districts desiring to exceed their individual three percent waiver capacity may do so only upon written approval from the State Director of Community Colleges or his designee. Additional waiver capacity can only be granted to a district after it has been determined that the total waiver capacity for the community college system is not being utilized as a result of other districts waiving at levels less than the three percent capacity.

(5) There is no percentage limitation on the amount of tuition and fee waivers granted for Summer Quarter enrollments provided that recipients of such waivers qualify as needy, resident students.

NEW SECTION

WAC 132H-160-056 PROCEDURE FOR DETERMINING LIMITATION OF THE AMOUNT OF TUITION AND FEE WAIVERS. For the purpose of determining the amount of any fee waiver established the various community colleges will limit any individual award to the difference between the cost of attending the community college, including the cost requirements of the student, his dependents, and/or his family, and the expected parental and/or independent student contribution toward such cost.

NEW SECTION

WAC 132H-160-059 COMBINATION OF TUITION AND FEE WAIVERS WITH OTHER FORMS OF STUDENT FINANCIAL AID. Nothing is intended to prevent the award of tuition and fee waivers in conjunction with other forms of student financial aid as a package designed to meet the overall educational assistance needs of any student.

**WSR 78-09-021
PROPOSED RULES**
BELLEVUE COMMUNITY COLLEGE
[Filed August 10, 1978]

Notice is hereby given in accordance with the provisions of RCW 28B.19.030, that the Bellevue Community College, Community College District VIII, intends to adopt, amend, or repeal rules concerning:

Repeal chapter 132H-104

Bylaws and standing orders of governing boards.

Adopt chapter 132H-105

Bylaws and standing orders of the board of trustees of Community College District VIII;

that such institution will at 1:30 p.m., Tuesday, October 17, 1978, in the Board Room, Bellevue Campus, 3000 Landerholm Circle S.E., Bellevue, WA 98007, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 1:30 p.m., Tuesday, October 17, 1978, in the Board Room, Bellevue Campus, 3000 Landerholm Circle S.E., Bellevue, WA 98007.

The authority under which these rules are proposed is RCW 28B.50.140.

Interested persons may submit data, views, or arguments to this institution in writing to be received by this institution prior to October 17, 1978, and/or orally at 1:30 p.m., Tuesday, October 17, 1978, Board Room, Bellevue Campus, 3000 Landerholm Circle S.E., Bellevue, WA 98007.

Dated: August 9, 1978
By: Thomas E. O'Connell
Secretary

NEW SECTION

WAC 132H-105-010 INTRODUCTION. The Board of Trustees, under law, is charged with the responsibility of Community College District VIII. The authority is vested in the Board, not in its individual board members. To assist the Board in carrying out its responsibilities, an Executive Officer of Community College District VIII and President of Bellevue Community College shall be employed with the delegated responsibility for administering the policies of the District as approved by the Board.

Policies of the Board of Trustees are found in the records of Board action and in the Policies and Procedures Manual of which this document is a part. The bylaws which follow contain all of the rules adopted by the Board which are in force and which relate to the organization and powers of the Board and its method of conducting business.

NEW SECTION

WAC 132H-105-020 OFFICES OF THE BOARD OF TRUSTEES. The Board of Trustees shall maintain an office at Bellevue Community College, 3000 Landerholm Circle S.E., Bellevue, Washington 98507, where all regular meetings shall be held, unless otherwise announced, and all records, minutes, and the official college seal shall be kept. This office shall be open during all normal business hours to any resident taxpayer of the state of Washington.

Correspondence or other business for the Board shall be sent to the Secretary of the Board who is located in this office.

NEW SECTION

WAC 132H-105-030 MEETINGS OF THE BOARD OF TRUSTEES. The Board of Trustees of Community College District VIII will hold a regular meeting on the first Tuesday of each month. The meeting will begin at 12 noon in the Bellevue Campus Cafeteria, with a discussion of agenda items, and at 1:30 p.m. in the Board Room, Bellevue Campus, Bellevue, Washington, for a business session. (1) If that day is a legal holiday, the meeting will be held, if at all possible, on the second Tuesday of the month or soon thereafter or as otherwise announced.

(2) In the event the Board of Trustees of Community College District VIII is unable to meet on the regular meeting date, a special meeting may be scheduled and held, if at all possible, on the second Tuesday of the month or soon thereafter or as otherwise announced.

(3) In the event the Board of Trustees of Community College District VIII is unable to meet, the Chairman of the Board may order that no regular meeting of the Board of Trustees be held that month.

(4) The Board of Trustees shall hold at least two regular meetings each quarter and such other regular or special meetings as may be requested by the Chairman of the Board or by a majority of the members of the Board.

(5) All regular and special meetings of the Board of Trustees shall be open to the general public in accordance with RCW 42.30 (The Open Public Meeting Act).

(6) No official business shall be conducted by the Board of Trustees except during a regular or special meeting.

NEW SECTION

WAC 132H-105-040 INFORMATION FOR BOARD MEMBERS. Information and materials pertinent to the agenda of all regular meetings of the Board should be sent to Trustees prior to each meeting. Any matters of business or correspondence should be made available to the Secretary of the Board by 12 noon, five days before the meeting in order to be included on the agenda. However, the Chairman or Secretary may present a matter of urgent business received too late for inclusion on the agenda if in his judgment the matter is of importance.

All materials to be considered by the Board must be submitted in sufficient quantities to provide each member of the Board and the Secretary with appropriate copies.

NEW SECTION

WAC 132H-105-050 EXECUTIVE SESSIONS. The Board of Trustees may convene in executive session whenever it is deemed necessary pursuant to RCW 42.30.110.

NEW SECTION

WAC 132H-105-060 ORDER OF THE AGENDA. The order of the agenda governing all regular meetings of the Board of Trustees of Community College District VIII shall be as follows:

- (1) Roll Call
- (2) Approval of Previous Minutes
- (3) Executive Session
- (4) Recommendations for Action of the Board
- (5) Reports to the Board
- (6) Information Items
- (7) Other Business
- (8) Adjournment

The order of the agenda may be changed by the Chairman with the consent of a majority of the Board members present.

The Chairman shall announce at the beginning of each meeting that members of the audience may speak to any item on the agenda at the time of its presentation to the Board. The Chairman shall have the right to limit the length of time used by a speaker for the discussion of any subject. The Chairman shall determine whether or not an item is placed on the agenda. The Chairman shall have the right to limit the length of time used by a speaker for the discussion of a subject. The Chairman will notify all other Board members if he rejects an item suggested to be placed on the agenda. Reports to the Board will include provision for reports by students, faculty and classified employees.

NEW SECTION

WAC 132H-105-070 RECORDS OF BOARD MEETINGS. The minutes of all regular and special meetings, except executive sessions of the Board, shall be recorded and such records shall be open for public inspection.

NEW SECTION

WAC 132H-105-090 PARLIAMENTARY PROCEDURE. Three members of the Board of Trustees shall constitute a quorum and no action shall be taken by less than a majority of the Board Members.

Normally, voting shall be *viva voce*. However, a roll call vote may be requested by any member of the Board for purposes of the record.

In questions of parliamentary procedure, the actions of the Board shall be conducted according to Robert's Rules of Order unless specified otherwise by State Law or Regulation of the State Board.

NEW SECTION

WAC 132H-105-100 OFFICERS OF THE BOARD. At the meeting of the Board in April the Board shall elect from its membership a Chairman and Vice-Chairman to serve for the ensuing year. In addition, the President of Bellevue Community College or his designee shall serve as Secretary to the Board of Trustees as specified by State Law. (1) The Chairman, in addition to any duties imposed by rules and regulations of the State Board, shall preside at each regular or special meeting of the Board, sign all legal and official documents recording actions of the Board, and review the agenda prepared for each meeting of the Board. The Chairman shall, while presiding at official meetings, have full right of discussion and vote.

(2) The Vice-Chairman, in addition to any duties imposed by rules and regulations of the State Board, shall act as Chairman of the Board in the absence of the Chairman.

(3) The Secretary of the Board or the President's designee shall serve as Chairman, without privilege of vote, in any official meeting of the Board conducted in the absence of the Chairman and Vice-Chairman. In addition to any duties imposed by rules and regulations of the State Board, the secretary shall keep the official seal of the Board, maintain all records of meetings and other official actions of the Board.

The Secretary or the President's designee shall also be responsible for Board correspondence, compiling the agenda of meetings, and distributing the minutes of the meetings and related reports.

The Secretary or the President's designee must attend all regular and special meetings of the Board and official minutes must be kept of all such meetings.

NEW SECTION

WAC 132H-105-110 RESTRICTIONS OF INDIVIDUAL AUTHORITY. Legal authority is vested in the Board of Trustees and may be exercised by formal action of the Board taken in regular or special meetings by the President or his designee pursuant to delegated authority. No individual member of the Board may act on behalf of the Board unless specifically instructed by action of the Board. Every member of the Board shall be under obligation to support the decision or policy of the majority and shall not publicly oppose such a decision or policy after it has been adopted by the majority.

NEW SECTION

WAC 132H-105-120 FISCAL YEAR OF THE BOARD OF TRUSTEES. The fiscal year of the Board shall conform to the fiscal year of the state of Washington and shall be from July 1 to June 30 inclusive.

NEW SECTION

WAC 132H-105-130 SEAL AND NAME OF THE COLLEGE. The Board of Trustees shall maintain an official seal for use upon any or all official documents of the Board. The seal shall have inscribed upon it the name of the college which shall be: Bellevue Community College

NEW SECTION

WAC 132H-105-140 DELEGATION OF RESPONSIBILITY. It shall be the responsibility of the Board of Trustees to establish policy and to evaluate the total college program. The Board of Trustees shall appoint a College President to administer the College and shall delegate to him the authority and responsibility for implementation of Board policy.

NEW SECTION

WAC 132H-105-150 APPOINTING AUTHORITY. The Board of Trustees of Community College District VIII, pursuant to RCW 28B.10.528 and RCW 28B.50.140, delegates to the President of Bellevue Community College the appointing authority for all non-classified employees of the college.

NEW SECTION

WAC 132H-105-160 DELEGATION OF AUTHORITY FOR HIGHER EDUCATION PERSONNEL LAW - CLASSIFIED PERSONNEL. Be it resolved that the President or his designee, the Executive Assistant to the President and Director of Personnel, is

hereby designated as the appointing authority of the college for the purpose of the Higher Education Personnel Law. This delegation, if authorized, shall include but not be limited to the authority to employ, dismiss, suspend, demote, lay off or reassign members of the classified staff. In addition, the President or his designee, the Executive Assistant to the President and Director of Personnel, is hereby delegated such authority as is necessary to effectuate the administration of the classified personnel policy. Provided that all contracts between recognized bargaining agents of classified personnel and Bellevue Community College shall be valid only after those contracts have received the approval of the Board of Trustees. The President of the college or his designee, the Executive Assistant to the President and Director of Personnel, may be delegated the authority to negotiate on behalf of the Board of Trustees, but in no event shall the President or his designee, the Executive Assistant to the President and Director of Personnel, be authorized to bind contractually the college in any agreement with a recognized bargaining agent of the classified staff.

NEW SECTION

WAC 132H-105-170 WRITTEN CONTRACTS. No full-time teacher, counselor, librarian or administrator shall be employed, and no teacher, counselor, librarian or administrator shall be employed in a different position from his present position, except by written contract or notice of employment signed by the proper appointing authority.

The President of Bellevue Community College may grant signing authority to the Director of Personnel for the purpose of consummating employment agreements for part-time employees.

NEW SECTION

WAC 132H-105-180 TENURE. The Board of Trustees of Community College District VIII reserves to itself the final determination of the granting of tenure to any academic employee of the district; the dismissal of a tenured academic employee; or the dismissal of a probationer during the term of his contract, pursuant to the policies of the Board of Trustees and the laws of the state of Washington.

REPEALER

The following sections of the Washington Administrative Code are repealed:

(1) WAC 132H-104-010 through WAC 132H-104-150 BY-LAWS AND STANDING ORDERS OF GOVERNING BOARDS.

WSR 78-09-022**EMERGENCY RULES****DEPARTMENT OF FISHERIES**

[Order 78-57—Filed August 10, 1978]

I, Gordon Sandison, director of State Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, Gordon Sandison, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is harvestable numbers of Skagit River chinook have been caught.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure

Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 10, 1978.

By Gordon Sandison
Director

NEW SECTION

WAC 220-28-006A0E CLOSED AREA Effective immediately through September 2, 1978 it shall be unlawful for any fisherman, including Treaty Indian fishermen to take, fish for or possess salmon for commercial purposes with any type gear in Treaty Indian Salmon Management and Catch Reporting Area 6A except at times made lawful by the U. S. Department of Interior, pursuant to International Pacific Salmon Fisheries Commission recommendations.

NEW SECTION

WAC 220-28-00800M CLOSED AREA Effective immediately until further notice, it shall be unlawful for any fisherman including Treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with any type of gear in Treaty Indian Salmon Management and Catch Reporting Area 8.

NEW SECTION

WAC 220-28-008A0D CLOSED AREA Effective immediately through September 2, 1978, it shall be unlawful for any fisherman including Treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with any type of gear in Treaty Indian Salmon Management and Catch Reporting Area 8A.

NEW SECTION

WAC 220-28-008F0F CLOSED AREA Effective immediately until further notice, it shall be unlawful for any fisherman, including Treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with any type of gear from the waters of the Skagit River, including all tributaries.

REPEALER

Effective immediately, the following sections of the Washington Administrative Code are hereby repealed:

WAC 220-28-00800L MINIMUM MESH
WAC 220-28-008A0C MINIMUM MESH
WAC 220-28-008F0E CLOSED AREA - MESH SIZE-SALMON

WSR 78-09-023

EMERGENCY RULES

DEPARTMENT OF NATURAL RESOURCES

[Order 305—Filed August 10, 1978]

I, Bert L. Cole, Commissioner of Public Lands, do promulgate and adopt at Olympia, Washington, the annexed rules relating to the adoption of an emergency rule lifting logging restrictions in Zones 1, 2, and 3 in Grays Harbor, Jefferson and Clallam Counties in the Olympic Area, amending logging restrictions in Zone 25 in Clark and Cowlitz Counties and Zone 27 in Clark and Skamania Counties in the Southwest Area, and amending logging restrictions in Zone 14 in Snohomish, King and Pierce Counties and Zone 19 in Skagit, Whatcom and Snohomish Counties in the Northwest Area under the protection of the Department of Natural Resources.

I, Bert L. Cole, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is due to existing and forecast weather conditions, the areas included in the logging restrictions are particularly exposed to fire danger.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 76.04.190 and 76.04.200 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 10, 1978.

By Bert L. Cole
Commissioner of Public Lands

NEW SECTION

WAC 332-26-504 LOGGING RESTRICTIONS IN WESTERN WASHINGTON UNDER THE PROTECTION OF THE OLYMPIC AND SOUTHWEST AREAS OF THE DEPARTMENT OF NATURAL RESOURCES. Effective immediately all logging restrictions shall be lifted in Zones 1, 2, and 3 in Grays Harbor, Jefferson and Clallam Counties on those forest lands protected by the Department of Natural Resources in the Olympic Area.

AMENDATORY SECTION (Amending Emergency Administrative Order #304, filed 8/8/78)

WAC 332-26-504 LOGGING RESTRICTIONS IN WESTERN WASHINGTON UNDER THE PROTECTION OF THE OLYMPIC AND SOUTHWEST AREAS OF THE DEPARTMENT OF NATURAL

RESOURCES. Complete shutdown shall be in effect immediately until midnight 2400 ((~~Thursday August 10, 1978~~) Sunday August 13, 1978 in Zone 25 in Clark and Cowlitz Counties and Zone 27 in Clark and Skamania Counties of those forest lands protected by the DNR in the Southwest Area.

During the period of restrictions, all logging, land clearing, milling and other operations that may cause a forest fire to start are to be shut down on all forest lands protected by the Department of Natural Resources in the above area. Burning Permits in Burning Zones B and C are cancelled in the above noted shutdown Zones.

Reviser's Note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

NEW SECTION

WAC 332-26-505 LOGGING RESTRICTIONS IN WESTERN WASHINGTON UNDER THE PROTECTION OF THE CENTRAL, SOUTHWEST, NORTHWEST AND SOUTH PUGET SOUND AREAS OF THE DEPARTMENT OF NATURAL RESOURCES. Effective at midnight tonight August 10, 1978 Zone 14 in Snohomish, King & Pierce Counties and Zone 19 in Skagit, Whatcom and Snohomish Counties shall be completely shutdown through midnight Sunday August 13, 1978 under the protection of the Department of Natural Resources in the Northwest Area.

During the period of restrictions, all logging, land clearing, milling and other operations that may cause a forest fire to start are to be shut down on all forest lands protected by the Department of Natural Resources in the Southwest Area. Burning Permits in Burning Permit Zones B and C are cancelled in the above noted shutdown Zones.

WSR 78-09-025

EMERGENCY RULES

DEPARTMENT OF NATURAL RESOURCES

[Order 306—Filed August 11, 1978]

I, Bert L. Cole, Commissioner of Public Lands, do promulgate and adopt at Olympia, Washington, the annexed rules relating to the adoption of an emergency rule amending logging restrictions in Administrative Order No. 305 in Western Washington under the protection of the Department of Natural Resources effective midnight August 11, 1978 through midnight August 13, 1978 in the Southwest Area.

I, Bert L. Cole, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is due to existing and forecast weather conditions, the areas included in the logging restrictions are particularly exposed to fire danger.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 76.04.190 and 76.04.200 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 11, 1978.

By Bert L. Cole
Commissioner of Public Lands

AMENDATORY SECTION (Amending Emergency Administrative Order #305, filed 8/10/78)

WAC 332-26-504 LOGGING RESTRICTIONS IN WESTERN WASHINGTON UNDER THE PROTECTION OF THE OLYMPIC AND SOUTHWEST AREAS OF THE DEPARTMENT OF NATURAL RESOURCES. ((Complete shutdown)) Hoot owl shall be in effect ((immediately until)) at midnight 2400 ((~~Sunday August 13, 1978~~) Friday August 11, 1978 until midnight 2400 ~~Sunday August 13, 1978~~ in Zone 25 in Clark and Cowlitz Counties and Zone 27 in Clark and Skamania Counties of those forest lands protected by the DNR in the Southwest Area.

During the period of restrictions, all logging, land clearing, milling and other operations that may cause a forest fire to start are to be shut down on all forest lands protected by the Department of Natural Resources in the above area. Burning Permits in Burning Zones B and C are cancelled in the above noted shutdown Zones.

Reviser's Note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

WSR 78-09-024
NOTICE OF PUBLIC MEETINGS
WHATCOM COMMUNITY COLLEGE
[Memorandum—August 8, 1978]

NOTIFICATION OF CHANGE OF LOCATION

To: Members of the Board of Trustees, News Media and the Public

Notification is hereby given that the Board of Trustees of Whatcom Community College, District Number Twenty-One will hold its August 24 regular meeting at the following time and place:

August 24, 1978 10:00 a.m. Conference Room
Ferndale Instructional Center
811 Third Street
Ferndale, WA 98248

WSR 78-09-026

EMERGENCY RULES

DEPARTMENT OF NATURAL RESOURCES

[Order 307—Filed August 11, 1978]

I, Bert L. Cole, Commissioner of Public Lands, do promulgate and adopt at Olympia, Washington, the annexed rules relating to the adoption of an emergency rule lifting logging restrictions in Administrative Order No. 305 in Western Washington under the protection of the Department of Natural Resources effective midnight August 11, 1978.

I, Bert L. Cole, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is due to existing and forecast weather conditions, the areas included in the logging restrictions are not particularly exposed to fire danger.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 76.04.190 and 76.04.200 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 11, 1978.

By Bert L. Cole
Commissioner of Public Lands

AMENDATORY SECTION (Amending Emergency Administrative Order #305, filed August 10, 1978)

WAC 332-26-505 LOGGING RESTRICTIONS IN WESTERN WASHINGTON UNDER THE PROTECTION OF THE CENTRAL, SOUTHWEST, NORTHWEST AND SOUTH PUGET SOUND AREAS OF THE DEPARTMENT OF NATURAL RESOURCES. Effective ((at midnight tonight August 10, 1978)) midnight 2400 Friday August 11, 1978 shutdowns shall be lifted in Zone 14 in Snohomish, King & Pierce Counties and Zone 19 in Skagit, Whatcom and Snohomish Counties ((shall be completely shutdown through midnight Sunday August 13, 1978)) under the protection of the Department of Natural Resources in the Northwest Area.

During the period of restrictions, all logging, land clearing, milling and other operations that may cause a forest fire to start are to be shut down on all forest lands protected by the Department of Natural Resources in the Southwest Area. Burning Permits in Burning Permit Zones B and C are cancelled in the above noted shutdown Zones.

WSR 78-09-027

ADOPTED RULES

DEPARTMENT OF EMPLOYMENT SECURITY

[Order 1-78—Filed August 14, 1978]

I, Eugene Wiegman, commissioner of the Employment Security Department, do promulgate and adopt at Olympia, Washington, the annexed rules relating to public disclosure and privacy of records and information maintained by the Employment Security Department; hearings and review under the work incentive program; practice and procedure before the Employment Security Department; pregnancy disqualification; employing unit records and wage reports; cash value of compensation not paid in cash; bonding and deposit requirements for non-profit organizations; registration of political subdivisions and instrumentalities thereof; and payment of benefits to partially unemployed and standby workers.

This action is taken pursuant to Notice No. WSR 78-07-077 filed with the code reviser on 7/5/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

Chapter 192-15 WAC is promulgated pursuant to RCW 50.13.030 which directs that the commissioner of the employment security department has authority to implement the provisions of chapter 50.13 RCW.

The amendments to chapter 192-10 WAC are promulgated pursuant to RCW 74.22.110 and 74.23.120 which direct that the employment security department has authority to implement the provisions of chapters 74.22 and 74.23 RCW.

The remainder of the annexed rules are promulgated under the general rule making authority of the employment security department as authorized in RCW 50.12.010.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 14, 1978.

By Eugene Wiegman
Commissioner

AMENDATORY SECTION (Amending Order 2602, filed 4/24/70)

WAC 192-09-030 PREAMBLE. RCW 50.32.010 provides, in part, as follows:

"... Notice of any appeal or petition for hearing taken to an appeal tribunal in any proceeding under this act may be filed with such agency as the commissioner may by regulation prescribe."

RCW 50.32.020 provides, in part, as follows:

"The applicant or claimant, his most recent employing unit or any interested party which the commissioner by regulation prescribes, may file an appeal from any determination or redetermination with the appeal tribunal..."

RCW 50.32.060 provides, in part, as follows:

"The manner in which any dispute shall be presented to the appeal tribunal, and the conduct of hearings and

appeals, shall be in accordance with regulations prescribed by the commissioner for determining the rights of the parties, whether or not such regulations conform to common law or statutory rules of evidence and other technical rules of procedure. ((****)) . . ."

RCW 50.32.070 provides:

"Within ten days from the date of notification or mailing, whichever is the earlier, of any decision of an appeal tribunal, the commissioner on his own order may, or upon petition of any interested party shall, take jurisdiction of the proceedings for the purpose of review thereof. Appeal from any decision of an appeal tribunal may be perfected so as to prevent finality of such decision if, within ten days from the date of mailing the appeal tribunal decision, or notification thereof, whichever is the earlier, a petition in writing for review by the commissioner is received by the commissioner or by such representative of the commissioner as the commissioner by regulation shall prescribe. The commissioner may also prevent finality of any decision of an appeal tribunal and take jurisdiction of the proceedings for his review thereof by entering an order so providing on his own motion and mailing a copy thereof to the interested parties within the same period allowed herein for receipt of a petition for review. The time limit provided herein for seeking review by the commissioner and for the commissioner's assumption of jurisdiction on his own motion for review shall be deemed to be jurisdictional."

RCW 50.32.100 provides:

"In all proceedings provided by this title prior to court review involving dispute of an individual's initial determination, or claim for waiting period credit, or for benefits, the fees of all witnesses attending such proceedings pursuant to subpoena shall be paid at the rate fixed by such regulation as the commissioner shall prescribe and such fees and all costs of such proceedings otherwise chargeable to such individual, except charges for services rendered by counsel or other agent representing such individual, shall be paid out of the unemployment compensation administration fund. In all other respects and in all other proceedings under this title the rule in civil cases as to costs and attorney fees shall apply: PROVIDED, That cost bills may be served and filed and costs shall be taxed in accordance with such regulation as the commissioner shall prescribe."

RCW 50.20.150 provides:

"The applicant for initial determination, his most recent employing unit as stated by the applicant, and any other interested party which the commissioner by regulation prescribes, shall, if not previously notified within the same continuous period of unemployment, be given notice promptly in writing that an application for initial determination has been filed and such notice shall contain the reasons given by the applicant for his last separation from work. If, during his benefit year, the applicant becomes unemployed after having accepted subsequent work, and reports for the purpose of re-establishing his eligibility for benefits, a similar notice shall be given promptly to his then most recent employing unit as stated by him, or to any other interested party which the commissioner by regulation prescribes.

"Each base year employer shall be promptly notified of the filing of any application for initial determination which may result in a charge to his account."

RCW 50.12.010 provides, in part, as follows:

"The commissioner shall administer this title. He shall have the power and authority to adopt, amend, or rescind such rules and regulations, . . . as he deems necessary or suitable to that end. . . ."

RCW 34.04.020 provides, in part, as follows:

"In addition to other rule-making requirements imposed by law:

(1) Each agency shall adopt rules governing the formal and informal procedures prescribed or authorized by this chapter and rules of practice before the agency, together with forms and instructions: PROVIDED, That RCW 34.04.022 shall apply to agencies which have not adopted comprehensive rules of practice and procedure, in accordance with the provisions of this chapter, prior to July 1, 1967."

RCW 34.04.090 provides, in part, as follows:

((****))

"(7) Each agency shall adopt appropriate rules of procedure for notice and hearing in contested cases.

"(8) Agencies, or their authorized agents, may ((****)) . . .

"(d) take or cause depositions to be taken pursuant to rules promulgated by the agency, ((****)) . . ."

The commissioner accordingly prescribes:

AMENDATORY SECTION (Amending Order 2602, filed 4/24/70)

WAC 192-09-040 INTERESTED PARTIES DEFINED. As used in this regulation, unless the context clearly indicates otherwise, the term "interested party" means:

((a)) (1) In the case of a claim for waiting period credit or benefits, the claimant, and in the event of an issue concerning a separation from work for reasons other than lack of work, the party from whose employ the claimant became separated.

((b)) (2) In the case of an assessment for, or denial of a claim for refund of, contributions or interest, or of denial of adjustment of experience rating credit, or a denial of a redetermination of benefit charges made to ((his)) an employer's account or ((his)) an employer's determined or redetermined rate of contribution, the party whose contributions, experience rating, benefit charges, or rate of contribution is affected by such assessment or denial.

((c)) (3) Any other party whom the commissioner shall in writing recognize as an interested party.

AMENDATORY SECTION (Amending Order 2602, filed 4/24/70)

WAC 192-09-060 APPEALS—RIGHT TO NOTICE OF. Notice of appeal rights shall be set forth on the face of, or as an attachment to, each of the following:

((a)) (1) Redetermination of an initial determination.

((t)) (2) Determination of allowance or denial of waiting period credit or benefits.

((t)) (3) Redetermination of allowance or denial of waiting period credit or benefits.

((t)) (4) Notice of assessment of contributions or interest.

((t)) (5) Denial of a claim for refund of contributions or interest.

((t)) (6) Denial of adjustment of experience rating credit.

((t)) (7) Denial of a redetermination of benefit charges made to an employer's account.

((t)) (8) Denial of a redetermination of an employer's determined or redetermined rate of contribution.

((t)) (9) Decisions and orders issued by an appeal tribunal other than an order approving a withdrawal of appeal.

((t)) (10) Decisions of commissioner.

AMENDATORY SECTION (Amending Order 2602, filed 4/24/70)

WAC 192-09-110 HEARINGS—SPECIAL SCHEDULING—POSTPONEMENT. Requests for scheduling a hearing at ((an)) a specific hour or on a specific day ((other than)) within the limitations as specified in WAC 192-09-105 shall be addressed in writing to the ((chief appeal examiner)) appeal tribunal who, in the exercise of sound discretion, shall grant such a hearing only upon a basis of good cause shown therefor. Any hearing, once scheduled, shall be rescheduled upon request of an interested party, only upon a basis of good cause shown therefor.

Any party who desires a postponement ((shall)), immediately upon receipt of notice of a hearing, or as soon thereafter as facts requiring such postponement come to his or her knowledge, shall notify the ((employment security department or its)) designated appeal examiner, or in his or her absence the chief appeal examiner, of said desire, stating in detail the reasons why such postponement is necessary. The ((employment security department or its)) designated appeal((s)) examiner, or chief appeal examiner, in passing upon a request for postponement, shall consider whether such request was promptly and timely made. For good cause shown, the ((employment security department or its)) designated appeal((s)) examiner, or in his or her absence the chief appeal examiner shall grant such postponement, and may at any time order a postponement upon ((its or)) his or her own motion.

AMENDATORY SECTION (Amending Order 2602, filed 4/24/70)

WAC 192-09-135 HEARINGS—EVIDENCE. At all hearings before an appeal tribunal testimony shall be taken under oath or on affirmation and the right of cross-examination afforded to all interested parties. The appeal tribunal shall receive any evidence logically tending to prove or disprove a given fact in issue, irrespective of common law rules of evidence, but no decision or findings of fact shall be based exclusively upon hearsay

evidence unless such hearsay evidence would be considered admissible under the rules of evidence for superior courts of the state of Washington. The appeal tribunal, when any evidence is unnecessarily cumulative in effect or where any evidence neither tends to prove nor disprove a relevant fact in issue, may, on objection of an interested party or on its own motion, exclude or prohibit such evidence from being received.

AMENDATORY SECTION (Amending Order 2602, filed 4/24/70)

WAC 192-09-230 SUBPOENAS—PROCEDURE TO QUASH. Upon motion made promptly, and in any event at or before the time specified in the subpoena for compliance, by the person to whom the subpoena is directed (and upon notice to the party to whom the subpoena was issued) the ((employment security department or its authorized member or officer)) appeal examiner who issued the subpoena or the chief appeal examiner may (1) quash or modify the subpoena if it is unreasonable or requires evidence not relevant to any matter in issue, or (2) condition denial of the motion upon just and reasonable conditions.

AMENDATORY SECTION (Amending Order 2602, filed 4/24/70)

WAC 192-09-315 DECISIONS—PETITION FOR REVIEW. Any interested party ((deeming himself)) who is aggrieved by a decision of an appeal tribunal other than an order approving a withdrawal of an appeal or a withdrawal of a petition for hearing, may petition the commissioner to review such decision. Such petition for review must be completed in writing by the aggrieved party or his or her representative and forms for this purpose shall be furnished by the commissioner on request, although the use of such forms shall not be a jurisdictional requirement. The filing of a petition for review shall be deemed timely if the written petition is received at any office of the employment security department, or in an office of the unemployment compensation agency of any other state or territory, within ten days after the date on which the appeal tribunal decision was mailed to the aggrieved party's last known address. If the petition for review is mailed, it shall be deemed filed with the addressee on the postmark date if said document is properly addressed and has sufficient postage affixed thereto.

AMENDATORY SECTION (Amending Order 2602, filed 4/24/70)

WAC 192-09-400 SPECIAL PROCEEDINGS—PREHEARING CONFERENCE—PURPOSE. In any complex proceeding, the ((employment security department or its designated)) appeal((s)) examiner upon ((its or)) his or her own motion, or upon the request of any interested party or their qualified representative, may in ((its or)) his or her discretion direct the parties or their qualified representatives to appear at a specified time and place for a conference to consider

- (1) The simplification of the issues;

- (2) The necessity of amendments to the pleadings;
- (3) The possibility of obtaining stipulations, admissions of fact and of documents;
- (4) The limitation of witnesses;
- (5) Such other matters as may aid in the disposition of the proceedings.

AMENDATORY SECTION (Amending Order 2602, filed 4/24/70)

WAC 192-09-405 SPECIAL PROCEEDINGS—PREHEARING CONFERENCE—EXAMINER'S ORDER: The ((employment security department or its designated)) appeal((s)) examiner ((shall)) may make an order or statement which recites the action taken at the conference, the amendments allowed to the pleadings and the agreements made by the parties or their qualified representatives as to any of the matters considered, including the settlement or simplification of issues, and which limits the issues for hearing to those not disposed of by admission or agreements, and such order or statement shall control the subsequent course of the proceeding unless modified for good cause by subsequent order.

AMENDATORY SECTION (Amending Order 2602, filed 4/24/70)

WAC 192-09-420 SPECIAL PROCEEDINGS—CHALLENGE OF EXAMINER—BIAS OR INTEREST. No examiner shall hear or decide any disputed issues in any case in which he or she has an interest. Any interested party having reason to believe that the examiner assigned to the case is prejudiced in the matter, may, at any time prior to the ((mailing of a decision)) issuance of a discretionary ruling by the ((appeal tribunal)) examiner assigned to the case, petition the examiner, the chief appeal examiner, or the commissioner for a change of examiner. After the issuance of a discretionary ruling, a petition for a change of examiner will be considered only if the petitioner alleges that the examiner had an actual undisclosed personal or financial interest in the outcome of the case. At any time after a hearing and prior to the commissioner's decision, any interested party having reason to believe that the examiner assigned to the hearing before the appeal tribunal ((was prejudiced in the matter)) failed to disclose a personal or financial interest in the outcome of the case, may petition the commissioner for a new hearing before ((the commissioner or his duly authorized representative)) an impartial appeal tribunal. If an examiner assigned to hear a disputed matter refuses a petition for a change of examiner on a challenge to his or her interest, such challenge shall be heard and decided by the commissioner or his or her duly authorized representative.

AMENDATORY SECTION (Amending Order 2602, filed 4/24/70)

WAC 192-09-425 SPECIAL PROCEEDINGS—CHALLENGE OF COMMISSIONER—BIAS OR INTEREST. The commissioner shall not review any case on petition in which he or she has an interest. Any interested party having reason to believe that

the commissioner is prejudiced in the matter shall address his or her reasons in support of such belief to the commissioner in writing at any time before issuance of the commissioner's decision. If the commissioner deems himself or herself prejudiced in the matter, he or she shall under the authority of RCW 50.12.020, assign the matter for ((hearing)) review and decision to any departmental employee he or she deems competent. Any decision issued under the authority of this provision shall be signed by the individual who prepared the decision with the designation, "representative of the commissioner" appearing immediately below his or her signature.

AMENDATORY SECTION (Amending Order 4-72, filed 11/6/72)

WAC 192-10-010 HEARINGS AND REVIEW UNDER THE WORK INCENTIVE PROGRAM. Definitions:

(1) "AFDC" (Aid to Families with Dependent Children) means the program authorized under title IV-A of the federal Social Security Act to provide financial assistance and social services to needy families with children.

(2) "Appellant" means a registrant ((or participant)) who requests a hearing with the appeal tribunal.

(3) "Appeals examiner" means an authorized hearing officer of the appeal tribunal.

(4) "Appeal tribunal" means the adjudicative body provided by the department to hear disputes under this chapter.

(5) "Commissioner" means the commissioner of the employment security department.

(6) "Appraisal" means the interview of a WIN registrant by WIN sponsor staff and Separate Administrative Unit (SAU) staff to determine employability potential, to determine the need for supportive services, and to develop an employability plan.

(7) "Department" means the Washington state department of employment security in its capacity as state WIN ((administrator)) sponsor.

((7)) (8) "DHS" means the Washington state department of social and health services.

((8)) (9) "Exemption" means ((freedom)) exclusion from the ((obligation)) requirement imposed upon AFDC recipients under title IV-A of the Social Security Act to register for the WIN program.

((9)) (10) "National Review Panel" means the highest level of administrative authority for appeals under the WIN program. The panel is established by the United States Department of Labor pursuant to 29 CFR § ((57.9)) 56.70 and is located in Washington, D.C.

((10)) "Participant" means a registrant who has been appraised and for whom an employability plan has been initiated by the department and by DHS.))

(11) "Petitioner" means any person in interest who petitions the commissioner for review of a decision of the appeal tribunal.

(12) "Registrant" means an AFDC applicant or recipient who has registered ((for)) with the WIN ((program)) sponsor for manpower and related social services, including training and employment.

(13) "WIN" means the work incentive program established under title IV-A of the federal Social Security Act and mandatory for all nonexempt AFDC recipients.

NEW SECTION

WAC 192-10-015 COMPUTATION OF TIME. Unless otherwise provided, in computing any period of time prescribed or allowed by this chapter, the day of the act or event from which the designated period of time begins to run shall not be included. The last day of the period so computed shall be included, unless it is a Saturday, a Sunday or a legal holiday, in which event the period runs until the end of the next day which is neither a Saturday, a Sunday nor a legal holiday.

AMENDATORY SECTION (Amending Order 4-72, filed 11/6/72)

WAC 192-10-020 PURPOSE AND SCOPE. (1) This chapter sets forth the rules of practice applicable to appeal tribunal hearings and commissioner's review proceedings relating to certain disputes arising under the WIN program in the state of Washington. In the event that the rules in this chapter conflict with any federal law or regulation relating to the WIN program, the federal law or regulation shall control. Such disputes involve ((1)) (a) the refusal or failure on the part of a registrant ((or participant)) to accept employment or to participate in the WIN program without good cause, ((and (2) exemption or nonexemption redeterminations of previously registered individuals by the department. Such disputes do not involve initial exemption or nonexemption determinations made by local offices of DSHS for AFDC recipients)) (b) the refusal or failure to appear for appraisal, (c) disputed assignments to a WIN component, and (d) unresolved WIN grievances.

(2) After reasonable attempts have been made at the local level to resolve disputes arising from work, or training assignment under WIN, the designated activity may be accepted without prejudicing the individual's right to protest such assignment. Such protest shall be handled by appeal tribunal hearing and commissioner's review. In the same manner as if the registrant had, in fact, refused to participate in the WIN program.

AMENDATORY SECTION (Amending Order 4-72, filed 11/6/72)

WAC 192-10-030 HEARINGS—REQUESTS—TIME LIMITATIONS. Any registrant ((or participant)) who disagrees with a determination proposing to terminate him or her from the WIN program or who disagrees with a ((department denial of a claim of exemption based on a change of status)) departmental decision involving assignments to a WIN component or has an unresolved grievance may, within ((seven)) ten calendar days after the ((receipt)) mailing of the notice of proposed ((termination or of the denial of a claim of exemption)) deregistration or other action, request a hearing with the appeal tribunal. The request for a hearing may be made either orally or in writing by the individual or his authorized representative to the WIN sponsor. If the request is mailed, it shall be

deemed filed on the postmark date if it is properly addressed and has sufficient postage affixed.

AMENDATORY SECTION (Amending Order 4-72, filed 11/6/72)

WAC 192-10-050 HEARINGS—PREPARATION AND SERVICE. ((A formal request for hearing shall be prepared on behalf of the appellant by the department's local office and shall be forwarded to the chief appeals examiner of the appeal tribunal together with the appellant's case record before the close of the next business day after receipt of the original request. In each case, the local office shall certify that the formal request was forwarded within the prescribed time period or provide a detailed report of the circumstances of the delay when said request has not been forwarded within the prescribed time period.)) Where the request is oral the department shall prepare required forms on behalf of the individual and obtain the individual's signature on the forms. In all cases the local office shall forward to the chief appeals examiner of the appeal tribunal the appellant's case records and request for hearing before the close of the next business day after receipt of the request.

AMENDATORY SECTION (Amending Order 4-72, filed 11/6/72)

WAC 192-10-060 HEARINGS—NOTICE REQUIREMENTS. ((Before the close of the next business day after receipt of the formal request for hearing by the appeal tribunal,)) Within ten days after receipt of the formal request for hearing by the department a notice of hearing and a copy of the rules of practice shall be ((sent by certified mail)) mailed to the appellant and any other person in interest at their last known address. The notice shall state the date, time and place of hearing and the issues to be heard.

AMENDATORY SECTION (Amending Order 4-72, filed 11/6/72)

WAC 192-10-070 HEARINGS—SCHEDULING—LOCATION. All hearings contemplated by this chapter shall be scheduled ((and held within seven working)) no earlier than ten days or later than thirty days following the mailing of the notice of hearing((, but in no event shall a hearing be held less than seven calendar days after the mailing of the notice. PROVIDED, HOWEVER, That)). The appeal tribunal may at its discretion ((reschedule or)) approve a request for rescheduling a hearing((. PROVIDED FURTHER, That)). All hearings will be scheduled between the hours of 8:00 a.m. and 5:00 p.m., Mondays through Fridays (state holidays excepted), at any reasonable location in the ((county)) area wherein the appellant resides or any other mutually convenient location.

AMENDATORY SECTION (Amending Order 4-72, filed 11/6/72)

WAC 192-10-080 PARTIES AND PRESENTATION OF THE CASE. The hearing shall be conducted

by an appeal((s)) examiner. ((It shall include the appellant, his duly authorized representative and witnesses on his behalf if any, and where appropriate, representatives of the department, DSHS and witnesses if any.)) The registrant or his representative, and the designated WIN sponsor and DSHS shall be afforded the opportunity to present, examine, and cross-examine witnesses. A member of the ((department)) WIN staff or its legal representative shall have primary responsibility for presenting the case to the appeals examiner.

AMENDATORY SECTION (Amending Order 4-72, filed 11/6/72)

WAC 192-10-090 DUTIES OF THE EXAMINER. The hearing shall be conducted with full regard to the requirements of due process of law to assure a fair and impartial hearing. The appeals examiner shall:

- (1) administer oaths and affirmations;
- (2) issue subpoenas as hereinafter authorized;
- (3) rule on offers of proof and receive relevant evidence;
- (4) regulate the course of the hearing and the order of presentation of evidence; and

(5) take any other action necessary to insure an orderly hearing, including disqualification of a representative for improper conduct at the hearing. He may participate in eliciting testimony from the witnesses, but shall not act as an advocate for any party, and shall, if feasible, resolve the dispute ((at any time)) by conciliation at any time prior to the conclusion of the hearing.

AMENDATORY SECTION (Amending Order 4-72, filed 11/6/72)

WAC 192-10-110 RECORDING OF TESTIMONY. The testimony at the hearing shall be ((mechanically)) recorded. It shall be transcribed only as needed or when the appeal tribunal's decision is to be ((ultimately)) reviewed by the National Review Panel.

AMENDATORY SECTION (Amending Order 4-72, filed 11/6/72)

WAC 192-10-120 ACCESS TO RECORDS. The case record, or any portion thereof, shall be available for inspection and copying by any person in interest at, prior, or subsequent to the hearing upon said person's request. Special procedures may be used for disclosure of medical and psychological records such as disclosure to a physician designated by the individual.

NEW SECTION

WAC 192-10-265 DECISION OF APPEALS EXAMINER. The appeals examiner may rule:

- (1) That the individual has failed to appear for appraisal without good cause or has failed or refused to participate without good cause, and that appropriate de-registration shall be initiated;
- (2) That good cause has been shown for failure or refusal to participate and the individual should be retained in the program;

(3) That the request for a hearing is dismissed because:

- (a) It was filed untimely without good cause;
- (b) It has been withdrawn in writing;
- (c) The individual failed to appear at the hearing without good cause; or

(d) Reasonable cause exists to believe that the request has been abandoned or that repeated requests for rescheduling are arbitrary and for the purpose of unduly delaying or avoiding a hearing, in which case DSHS may initiate necessary action to impose appropriate sanctions;

(4) That the individual was appropriately or inappropriately assigned; or

(5) Render such other rulings as are appropriate to the issues in question. However, an appeals examiner shall not consider the validity or constitutionality of these regulations, federal regulations, or Title IV of the Social Security Act.

AMENDATORY SECTION (Amending Order 4-72, filed 11/6/72)

WAC 192-10-280 DECISIONS—PREPARATION AND SERVICE. ((The appeals examiner shall, if possible, render an oral opinion at the conclusion of the hearing.)) On the basis of the record compiled at the hearing, ((he)) the hearings examiner shall, within ((three)) ten working days ((of the close of)) following the hearing, ((prepare)) mail a written decision stating his findings and conclusions. Copies of the decision shall be served by certified mail on the applicant, the department, and all other persons in interest. Instructions for petitioning for commissioner's review of an adverse decision shall be attached to the appellant's copy. The case record shall be returned to the department.

AMENDATORY SECTION (Amending Order 4-72, filed 11/6/72)

WAC 192-10-300 PETITION FOR REVIEW BY THE COMMISSIONER. ((If the appellant, the department or DSHS disagrees with the decision of the appeal tribunal, said person may, within fifteen days after the receipt of the appeal tribunal's written decision, petition the commissioner in writing for review of said decision.)) Any party disagreeing with the decision of the appeal tribunal, may petition the commissioner in writing for review of said decision within ten days after the mailing of the appeal tribunal's written decision. In all cases, whether or not he is the petitioner, the registrant ((or participant)) shall be furnished with the rules governing the commissioner's review along with notification of the receipt of the petition for such review. A petition for review shall not stay implementation of the decision.

AMENDATORY SECTION (Amending Order 4-72, filed 11/6/72)

WAC 192-10-310 COMMISSIONER'S REVIEW PROCEDURE. (1) The commissioner shall consider and render a decision on a written petition for review

which is filed within ((fifteen)) ten days after the ((receipt)) mailing of the written appeal tribunal decision. The petition need not be in any particular form but should specify the decision to which the petitioner takes exception and the date on which the decision was received. The petition shall be signed by the petitioner or his duly authorized representative. The petition shall be deemed timely filed if it is received by the commissioner or by any local office of the department within the prescribed ((fifteen)) ten day time period. If the petition is mailed, it shall be deemed filed on the postmark date if the petition is properly addressed and has sufficient postage affixed thereto.

(2) Within thirty days after receipt of the petition for review, the commissioner shall prepare a written decision either affirming or reversing the appeal tribunal decision. The commissioner may also remand the case to the tribunal for further development of the evidence. The commissioner's decision shall be based solely upon his review of the hearing record and upon any additional evidence submitted to the tribunal in connection with the commissioner's review of the case. The decision shall state the findings and the reasons for the conclusions reached therein.

(3) Copies of the commissioner's decision shall be served by certified mail on the registrant ((or participant)) and other persons in interest. Instructions for appealing an adverse decision to the National Review Panel and the conditions under which the panel will consider an appeal shall be attached to the registrant's ((or participant's)) copy of the decision.

(4) The commissioner may, in petitions involving novel questions of law or policy, certify the case within five days after his decision to the National Review Panel for review and decision.

(5) If a hearings examiner's adverse decision is reversed on appellate review, the individual shall be paid such retroactive WIN and welfare benefits as may be applicable and, where appropriate, shall be reinstated in the program.

REPEALER

The following sections of the Washington Administrative Code are repealed:

(1) WAC 192-10-260 DISPOSITION BY DECISION ON THE MERITS.

(2) WAC 192-10-270 DISPOSITION BY DECISION OTHER THAN ON THE MERITS.

AMENDATORY SECTION (Amending Order 2602, filed 4/24/70)

WAC 192-12-030 REPORTS REQUIRED OF PERSONS OR ENTITIES FOR WHOM PERSONAL SERVICES ARE PERFORMED. RCW 50.12.070 provides:

* * * The commissioner may require from any employing unit any sworn or unsworn reports with respect to persons employed by it, which he deems necessary for the effective administration of this act. Each employer shall make periodic reports at such intervals as the commissioner may by regulation prescribe, setting

forth the remuneration paid for employment to workers in its employ, the names of all such workers and such other information as the commissioner may by regulation prescribe."

RCW 50.20.150 provides:

"The applicant for initial determination, his most recent employing unit as stated by the applicant, and any other interested party which the commissioner by regulation prescribes, shall, if not previously notified within the same continuous period of unemployment, be given notice promptly in writing that an application for initial determination has been filed and such notice shall contain the reasons given by the applicant for his last separation from work. If during the benefit year, the applicant becomes unemployed after having accepted subsequent work, and files a claim for waiting period credit or benefits, a similar notice shall be given promptly to his then most recent employing unit as stated by him, or to any other interested party which the commissioner by regulation prescribes."

RCW 50.32.020 provides:

"The applicant or claimant, his most recent employing unit or any interested party which the commissioner by regulation prescribes, may file an appeal from any determination or redetermination with the appeal tribunal within ten days after the date of notification or mailing, whichever is earlier, of such determination or redetermination to his last known address: * * *"

RCW 50.12.010 provides:

"It shall be the duty of the commissioner to administer this act. He shall have the power and authority to adopt, amend, or rescind such rules and regulations, * * * as he deems necessary or suitable to that end. * * *"

The commissioner accordingly prescribes:

(1) Employer's status report. Every person or entity which has or subsequent to January 1, 1936, had one or more individuals performing services for it in the state of Washington shall have on file with the commissioner immediately after the effective date of this regulation an employer's status report in accordance with the form therefor furnished by the commissioner.

(2) Contribution and wage reports:

(a) Contribution report. Each employer shall not later than the last day of the month following the expiration of any calendar quarter file with the commissioner, on forms which the commissioner shall furnish, a report with respect to such quarter setting forth the wages paid for employment to individuals in his employ. Calendar quarters shall be deemed to end March 31, June 30, September 30 and December 31 respectively of each year.

(b) Wage report. Each employer shall not later than the last day of the month following the expiration of such calendar quarter file with the commissioner, on forms which the commissioner shall furnish, a report with respect to such calendar quarter setting forth the wages paid during such calendar quarter for employment to individuals in his employ, ((the number of calendar weeks during the quarter in which such individuals earned not less than 15% of the average

~~weekly wage as defined by law and computed by the department) the number of hours worked by each individual, the names of such individuals and their social security account numbers. ((The number of such calendar weeks reported should not exceed thirteen in any quarter. If a portion of a calendar week extends into the following calendar quarter, and services were performed in both portions of the week, that week shall be reported only in the quarter in which the major portion of the week falls. If the services performed in that week all fell in the portion lying within one quarter, the week shall be reported in that quarter in which the services were performed.)) Exceptions to the foregoing provisions 2(a) and (b) relative to the time and manner of reporting shall be allowed only after application has been made requesting exceptions and the application has been approved by the commissioner.~~

(c) Termination of business. Each employer who ceases business or for any reason causes his account to be closed by the department shall immediately file:

(i) A contribution report with respect to the current calendar quarter which report shall cover contributions due to the date such account is closed;

(ii) A quarterly wage report with respect to the current calendar quarter as provided in section (2)(b) of this regulation which report shall include all wages paid to the date such account is closed.

(d) Reports for maritime service.

(i) Maritime contribution reports. Contribution reports with respect to wages, including advances, allotments, slops, and payment in kind, such as board and lodging, earned in any pay period shall be submitted as of the calendar quarter in which any such wages in cash were actually paid or such wages in kind were furnished, except that any of such items which are unknown to the reporting office will be considered paid in the calendar quarter in which the voyage is terminated.

(ii) Maritime wage reports. Individual wage detail reports on wages falling within the purview of this regulation need not be filed prior to the time when reports regarding wages paid at the termination of such period must be filed; except, however, supplemental quarterly wage detail reports shall be filed whenever wages involved were actually paid in a previous calendar quarter. Such supplemental report shall be filed along with the related contribution report.

(iii) Maritime special reports. The employer shall, upon request of the commissioner, promptly furnish a statement of the wages of a seaman, whenever such statement is necessary in order to determine such seaman's eligibility for and rate of benefits. Such statements shall be prepared and submitted in such a manner as the commissioner may in each case prescribe.

(3) Report of circumstances of applicant's separation from employment. Whenever an individual files an application for an initial determination or thereafter lapses his reporting at the local office and later renews such reporting following intervening employment, a notice of such filing or renewal shall be mailed to the applicant's most recent employing unit as stated by the applicant. Any employing unit receiving such a notice and having

knowledge of any factors which might render the applicant ineligible for waiting period credit or benefits shall report such factors to the employment security department at the address indicated on the notice within ten days of the date of mailing of such notice. The absence of the receipt of the employing unit's report within the ten day period shall be deemed to justify allowances to the applicant of waiting period credit and the payment of benefits, provided the applicant is in all respects eligible.

In the event that information reported by an employing unit, in response to either of the notices required herein, is claimed by the employing unit to require disqualification from allowance of waiting period credit or payment of benefits, a determination of benefit rights will be made and a copy of such determination mailed to the employing unit.

(4) Low earnings report. When requested to do so by an authorized representative of the commissioner any person or entity for whom personal services are performed by individuals working less than full time during a "week" as defined in WAC 192-12-020 with resulting loss of earnings, to wit: Less than the maximum weekly benefit amount established by law, shall thereafter file with the nearest employment office, upon forms furnished by the commissioner, a report of low earnings with respect to such individuals for all weeks designated in the request.

(5) Labor dispute report. When any person or entity for whom personal services are performed has substantially curtailed or stopped operation by reason of a labor dispute or should such person or entity have reason to believe that such substantial curtailment or stoppage is due to a labor dispute, it shall advise the nearest employment office in writing of the date of the commencement of such substantial curtailment or stoppage of operations and upon the demand of the commissioner shall furnish, upon forms furnished by the commissioner, a report setting out the conditions under which such substantial curtailment or stoppage of operations occurred, together with the names, social security account numbers and job classifications of the individuals involved. Changes in the condition under which the labor dispute arose or in the status of any such individuals, occurring during the course of the dispute, shall be reported in the same manner.

Subsequent to the termination of the labor dispute, such person or entity shall advise the nearest employment service office in writing of the date of the termination of the labor dispute.

(6) Vacation reports. Each employer temporarily ceasing or substantially curtailing operations in order to allow a vacation period for individuals in its employ pursuant to an employment contract shall seven days prior to cessation or substantial curtailment of operations file with the nearest employment office a report giving the date of commencement and duration of the vacation period and shall further, upon the demand of the commissioner, furnish a report setting forth (a) the name of each individual ceasing work by reason of such

cessation or curtailment of operations; (b) his social security account number; (c) the amount of wages or remuneration, if any, paid or payable to each individual for the vacation period; and (d) the identity of such individuals who have been or will be granted vacations during some other period.

(7) Report form instructions. All instructions contained on any report form issued by the employment security department shall have the same force and effect as if such instructions had been incorporated into and made a part of this regulation.

NEW SECTION

WAC 192-12-035 REGISTRATION OF POLITICAL SUBDIVISIONS AND INSTRUMENTALITIES THEREOF. RCW 50.44.030 requires any political subdivision or instrumentality of one or more political subdivisions of this state or one or more political subdivisions of this state and any other state, to file a written registration with the commissioner before December 15, 1977. The commissioner accordingly prescribes:

(1) Such registration, in accordance with the form therefor furnished by the commissioner, shall specify the manner in which the unit of government will finance the payment of benefits.

(2) If written registration is not received by December 15, 1977, the unit of government will automatically be assigned the method provided in RCW 50.44.035 (local government tax) or the method provided in chapters 50-.24 and 50.29 RCW (payment of contributions), as is appropriate for that unit of government.

(3) Units of government created after January 1, 1978, will have thirty days from the date of inception to submit written registration with the commissioner, if not submitted within thirty days the unit of government will automatically be assigned a manner of financing benefits as provided in subsection (2) of this section.

(4) The commissioner for good cause may extend the time limits for registration provided in subsections (2) and (3) of this section.

AMENDATORY SECTION (Amending Regulation 5, adopted 6/10/53)

WAC 192-12-050 RECORDS. ((~~Section 46 of the act~~)) RCW 50.12.070((~~1~~))) provides: "Each employing unit shall keep true and accurate work records, containing such information as the commissioner may prescribe ((~~1~~))) . . ."

((~~Section 40 of the act~~)) RCW 50.12.010((~~1~~))) provides: "((It shall be the duty of the)) The commissioner ((to)) shall administer this ((act)) title. He shall have the power and authority to adopt, amend, or rescind such rules and regulations, ((~~1~~))) . . . as he deems necessary or suitable to that end. ((~~1~~)))"

The commissioner accordingly prescribes:

(1) Each person or entity shall preserve existing records with respect to personal services performed for it on and after January 1, 1936. On and after the effective date of this regulation, each such person or entity shall

establish and maintain records with respect to each individual performing services for it, which records shall show the following: (a) The name of each such individual; (b) his social security account number; (c) the days and weeks during which each such individual performed services for said person or entity; (d) hours spent in employment and in nonsubject work with respect to any pay period; (e) the amount of wages or remuneration paid or payable to such individual on account of such services, said amounts to be segregated in such records into cash payment and payments in media other than cash; (f) the location at which such services were performed; (g) the date upon which each such individual was engaged or reengaged to perform services or returned to work after a temporary layoff; (h) the date when any individual's name was removed from the payroll; ((and)) (i) in the case of any individual whose separation from work was due to discharge, the cause of such discharge, or if his work was terminated by quit, the cause of such quit if known to such person or entity; and (j) in the case of a farm operator contracting with a crew leader, the name of the crew leader, the inclusive dates of the contract, the types of services performed, and the number of persons performing such services.

(2) Records relating to services performed in employment shall be maintained and preserved for not less than four years subsequent to the date contributions have been paid in respect thereto. Records relating to services not performed in employment shall be preserved and maintained for not less than four years subsequent to the calendar year in which the remuneration for such services was paid.

AMENDATORY SECTION (Amending Rule 1, filed 12/1/65)

WAC 192-12-070 CASH VALUE OF CERTAIN REMUNERATIONS. (1) ((~~Section 33 of the act~~)) RCW 50.04.320((~~1~~))) provides:

"((~~1~~))) . . . The reasonable cash value of compensation paid in any medium other than cash and the reasonable value of gratuities shall be estimated and determined in accordance with rules prescribed by the commissioner."

(2) The commissioner accordingly prescribes:

Compensation for personal services paid in kind or in any medium other than cash shall, for all purposes under the act, be given its actual cash value to the worker, and such value shall be used in computing contributions due under the law. If any contract of hire shall fix the value of such items, the value so fixed shall be taken as the actual value thereof. If the actual cash value of any item of compensation is not readily determinable, it shall be fixed by the commissioner. In the latter case, until a specific determination is made by the commissioner, board and lodging furnished in addition to, or in lieu of money wages shall be deemed to have not less than the following values:

Full board and room, weekly	(((\$10.00)))
	\$40.00
Meals, per meal	(((.40)))
	\$1.00

Lodging, per week ((2.50))
\$10.00

NEW SECTION

WAC 192-12-115 BONDING AND DEPOSIT REQUIREMENTS, NONPROFIT ORGANIZATIONS. RCW 50.44.070 provides:

"In the discretion of the commissioner, any nonprofit organization that elects to become liable for payments in lieu of contributions shall be required . . . to execute and file with the commissioner a surety bond approved by the commissioner or it may elect instead to deposit with the commissioner money or securities. . . .

"The amount of the bond or deposit . . . shall be an amount deemed by the commissioner to be sufficient to cover any reimbursement payments which may be required from the employer attributable to employment during any year for which the election is in effect . . . The determination made pursuant to this subsection shall be based on payroll information, employment experience, and such other factors as the commissioner deems pertinent."

The commissioner accordingly prescribes:

(1) The amount of bond or deposit shall be determined by reviewing and computing taxable wages paid during the previous four quarters. Taxable wages will be determined on the basis of the coming years taxable wage base. The net annual taxable wage so developed multiplied by current tax rate will produce the amount of bond or deposit necessary for the coming calendar year.

The amount of bond requirement may be rounded in accordance with the following scale:

Computed Bond Requirement	May Be Rounded Down To
Up to \$500	Even \$5 segment
\$501 to 5000	Even \$25 segment
\$5001 to \$50,000	Even \$100 segment
OVER \$50,000	Even \$1000 segment

(2) In the event an organization did not pay wages during the prior four consecutive quarters, then an estimated payroll based on the best information available will be used for the computation described in subsection (1) of this section.

(3) Bond or deposit requirements will be reviewed and recomputed annually during the fourth quarter of each calendar year for adequacy. The employer will be notified of any necessary change in amount of bond or deposit as prescribed in RCW 50.44.070(2) and (3).

(4) The following categories of nonprofit organizations are exempt from the bonding and deposit requirement: Hospitals, colleges and universities.

AMENDATORY SECTION (Amending Regulation 14, adopted 5/15/58)

WAC 192-12-150 PAYMENT OF BENEFITS TO PARTIALLY UNEMPLOYED PERSONS AND

STAND-BY WORKERS. ((Section 81 of the act f)) RCW 50.20.130((f))) provides: "((****)) . . . Each eligible individual who is unemployed in any week shall be paid with respect to such week a benefit in an amount equal to his weekly benefit amount less seventy-five percent of that part of the remuneration (if any) payable to him with respect to such week which is in excess of ((eight)) five dollars. ((****)) . . ."

[Reviser's note: Laws of 1959, chapter 321 sec. 3; (RCW 50.20.130) amended the above section by striking out "eight dollars" and inserting "twelve dollars".]

((Section 68 of the act f)) RCW 50.20.010((f))) provides: "An unemployed individual shall be eligible to receive waiting period credit or benefits with respect to any week only if the commissioner finds that

"(1) he has registered for work at, and thereafter has continued to report at, an employment office in accordance with such regulation as the commissioner may prescribe, except that the commissioner may be regulation waive or alter either or both of the requirements of this subdivision as to individuals attached to regular jobs and as to such other types of cases or situations with respect to which he finds that the compliance with such requirements would be oppressive, or would be inconsistent with the purposes of this title; ((****)) . . ."

((Section 32 of the act f)) RCW 50.04.310((f))) provides: "An individual shall be deemed to be 'unemployed' in any week during which he performs no services and with respect to which no remuneration is payable to him, or in any week of less than full-time work, if the remuneration payable to him with respect to such week is less than his weekly benefit amount. The commissioner shall prescribe regulations applicable to unemployed individuals making such distinctions in the procedures as to such types of unemployment as the commissioner deems necessary."

((Section 40 of the act f)) RCW 50.12.010((f))) provides: "The commissioner shall administer this title. He shall have the power and authority to adopt, amend, or rescind such rules and regulations, ((****)) . . . as he deems necessary or suitable to that end. ((****)) . . ."

The commissioner accordingly prescribes:

(1) Definitions.

(a) The term "employer" as used in this regulation shall mean any person or entity for whom personal services are performed for wages.

(b) A partially unemployed individual is one who during a particular week earned some remuneration but less than his weekly benefit amount, was employed by his regular employer and worked less than his normal customary full hours for such regular employer because of lack of full-time work.

(c) With respect to a partially unemployed individual whose remuneration is paid on a calendar week basis, a week of partial unemployment shall consist of the calendar week.

(d) With respect to partially unemployed individuals whose pay periods do not coincide with calendar weeks, remuneration earned during such pay periods may, if not allocated by the employer, be allocated by a representative of the commissioner directly from the employer's

payroll records or from certified earnings reports from the employer to each calendar week during which such remuneration was earned.

(e) A "stand-by" worker is an individual who is totally unemployed, but who expects to resume work with his regular employer within a ((reasonably)) reasonable time and whose best interests and those of his regular employer are served, in the judgment of the commissioner, by his remaining in readiness to resume such work.

(2) Employer responsibility in the initiation of first claim for partial benefits in a new spell of partial unemployment.

(a) Immediately after the termination of any week beginning a new spell of partial unemployment in which an employer has furnished any individual in his employ less than such individual's customary full time hours of work and earnings of less than the maximum weekly benefit amount established by law, or, if weekly benefit amount is known, earnings less than such weekly benefit amount, such employer shall either

(i) Advise the worker that he may be entitled to partial benefits by handing him a weekly low earnings report or a substitute device for presentation at an employment office, or

(ii) Notify the local employment office nearest the establishment and await and abide by the instructions of that office concerning the taking of claims.

(3) Weekly low earnings report or substitute devices. After the employer has given notice to individuals in his employment and/or the employment office, as required above, he shall, throughout the continuance of the spell of partial unemployment, after the termination of each pay period within such spell, issue to each affected individual a weekly low earnings report showing the actual earnings of each such individual for each week of partial unemployment occurring within such pay period or shall furnish such individual with a payroll by-product. Such weekly low earnings reports or payroll by-products shall be issued by the employer not more than thirty days after the end of the week of partial unemployment to which they pertain. The payroll by-product must show in ink or typewriting:

(a) The name and official unemployment compensation code number of the employer;

(b) The name and social security account number of the individual in employment;

(c) The beginning or ending date of such week;

(d) The amount of remuneration earned in such week;

(e) The following certification: "I certify that the above amount represents reduced earnings in a week of less than full-time work because of lack of work."

(f) A signature (actual or facsimile) by the employer to the above certification, or other positive identification of the authority supplying the evidence.

In the event the local employment office furnishes a representative at the employer's establishment for the purpose of taking the claims and obtaining from the employer verification of earnings and affirmative evidence that all available work with such employer was taken by each claimant, no such low earnings report or substitute thereof shall be required.

Utilization of the payroll by-product is permissible only in the event the pay period for partial unemployment coincides with the calendar week.

(4) Registration and filing of claims for partial unemployment. An individual attached to a regular job may file a claim with respect to any calendar week during the next succeeding four calendar weeks following the receipt from the employer of information as to his earnings in any such week: PROVIDED, That if the commissioner finds that the failure of any individual to file a claim for partial unemployment benefits within such four weeks was due to failure on the part of the employer to comply with any of the provisions of subsection (b) and (c) above of this regulation, or to coercion or to intimidation exercised by the employer to prevent the prompt filing of such claim, or to failure by the employment security department to discharge its responsibilities promptly in connection with such partial unemployment, the commissioner shall extend the period during which such claim may be filed to a date which shall be not less than one week after the individual has received appropriate notice of his potential rights to benefits and his earnings during the period of such partial unemployment.

A partially unemployed applicant for benefits who is attached to a regular job shall not be required to register for work in any week with respect to which he is partially unemployed, and prior registration shall not be a condition precedent to the filing of a claim for benefits for partial unemployment. Registration for work, initial applications, and claims for waiting period credit and benefits may be filed by mail on forms furnished by the employment security department, and given the same effect as though filed in person at an established employment security office whenever, in the judgment of the commissioner, the personal reporting of such claimant is or becomes impracticable.

(5) Registration and filing of claims by "Stand-by" workers. The commissioner may waive the requirement of registration for work by a "stand-by" worker during the first four weeks of such worker's unemployment, and in such event prior registration shall not be a condition precedent to filing a claim for benefits for such four weeks. Such worker shall, however, during any calendar week for which benefits are claimed report in person, and in the next succeeding period of two calendar weeks shall make a certification with respect to the week for which benefits are claimed: PROVIDED, That registration for work, initial applications, and claims for waiting period credit and benefits may be filed by mail on forms furnished by the employment security department, and given the same effect as though filed in person at an established employment security office whenever, in the judgment of the commissioner, the personal reporting of such claimant is or becomes impracticable; and PROVIDED FURTHER, That whenever failure to comply with this regulation is for reasons which, in the judgment of the commissioner, constitute good cause, the commissioner may make such exceptions to this regulation as he deems necessary.

Whether or not any claimant shall be determined by the commissioner to be in a "stand-by" status shall depend upon the length of the prospective period of unemployment, the availability of other suitable work, the temporary or permanent nature of the new prospective employment, the effect upon the employer and the worker of acceptance of new employment, the nature of the contract to be entered into by the worker in prospective new employment, and such other factors as the commissioner deems pertinent.

(6) Employer records in connection with partial unemployment. Each employer shall maintain its payroll records in such form that it will be possible from an inspection thereof by the employment security department to determine with respect to each individual in its employ who may be eligible for partial benefits: (a) Remuneration earned, by weeks, in such manner as to make possible and practical the allocating to calendar weeks of remuneration earned if the pay period does not coincide with calendar weeks; (b) Whether any week was in fact a week of less than full-time work; and (c) Time lost, if any, by each such worker, due to his unavailability for work.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 192-12-120 SECRECY OF INFORMATION.

Chapter 192-15 WAC PUBLIC DISCLOSURE AND PRIVACY OF INFORMATION

NEW SECTION

WAC 192-15-010 PURPOSE. The purpose of this chapter is to insure compliance by the employment security department with the provisions of RCW 42.17-.250 through 42.17.320 concerning disclosure of public records, and to interpret and implement the provisions of chapter 50.13 RCW concerning the privacy and confidentiality of information or records held by the employment security department.

NEW SECTION

WAC 192-15-020 DEFINITIONS. (1) "Public record" includes any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used or retained by any state or local agency regardless of physical form or characteristics.

(2) "Writing" means handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, magnetic or punched cards, discs, drums and other documents.

NEW SECTION

WAC 192-15-030 DESCRIPTION OF CENTRAL AND FIELD ORGANIZATION OF EMPLOYMENT SECURITY DEPARTMENT. (1) The employment security department is a public service agency. The administrative office of the employment security department and its staff are located at 212 Maple Park, Olympia, Washington 98504.

(2) The employment security department is headed by a commissioner appointed by the governor. Under the commissioner are an executive assistant, three deputy commissioners, and a limited number of special staff that report directly to him. There are also assistant attorneys general assigned to the department who provide legal services in all agency matters.

(a) Under the executive assistant to the commissioner are the public information office, the veterans services office, the legislative liaison, and the labor liaison.

(b) Under the deputy commissioner for field services are the personnel section, the reviewing officers, the monitor advocate, and the community organizations liaison.

(c) Under the deputy commissioner for resources and programs are employment and training (CETA), staff development, employment services, and unemployment insurance.

(d) Under the deputy commissioner for support services are the office of management and budget and the office of general administration.

(3) Job service centers and tax offices are located throughout the state and are headed by a manager.

NEW SECTION

WAC 192-15-040 PROCEDURES FOR OBTAINING PUBLIC RECORDS—DESIGNATION OF DEPARTMENTAL EMPLOYEES RESPONSIBLE FOR PUBLIC RECORDS. (1) The public records of the employment security department shall be in the custody of the administrator, office of general administration, who will be responsible for implementing departmental regulations regarding the release of public records and for insuring compliance by departmental employees with chapters 50.13 and 42.17 RCW and chapter 192-15 WAC.

(2) The department shall appoint a responsible employee or employees in each job service center and tax office to handle requests for public records. In the central office, the records officer, and such agents as he appoints, shall handle such requests.

(a) The responsible departmental employees shall familiarize themselves with chapters 50.13 and 42.17 RCW, and chapter 192-15 WAC.

(b) All identifiable requests for public records shall be referred to these employees, except in cases of subpoenas which shall be handled as specified by WAC 192-15-070.

(3) Requests for public records may be made orally, except in the case of governmental agency requests for individual or employing unit records under RCW 50.13-.060 which shall be handled as specified by WAC 192-15-060.

(a) If the responsible departmental employee is reasonably satisfied that the public record may be released under the provisions of chapters 42.17 and 50.13 RCW and these regulations, he may release it or provide access to the individual requesting it. If the employee is not satisfied that the requested information should be released, he shall refuse access to the public record.

(b) The departmental employee may consult with the department's records officer, or his agents, and/or any assistant attorney general for the department if he is unsure whether the public record should be released.

(4) Anyone refused access to public records held by the department who feels this refusal was improper may complete a request for public records form provided by the department at one of its offices.

(a) This form shall be published by the department's records officer and shall include a space for description of the records requested and for specification of reasons why the refusal of access was improper.

(b) The responsible departmental employee shall send the completed form to the department's records officer for consideration of the refusal.

(i) If the records officer, or his agents, decides that the public records may be disclosed under chapters 50.13 and 42.17 RCW and these regulations, he shall send the requested records to the appropriate departmental office or advise the date and place where the records will be available.

(ii) If the records officer, or his agents, decides that the public record cannot be disclosed or can only be partly disclosed under chapters 50.13 or 42.17 RCW and these regulations, he shall prepare a statement briefly explaining the reason that the record cannot be disclosed, including a statement of the specific statute prohibiting disclosure and an explanation of how the statute applies to the withheld record. This statement shall be forwarded to the proper job service center or tax office or to the person or agency requesting the records.

(iii) The records officer, or his agents, shall act as promptly as circumstances allow.

(5) In the event that the responsible departmental employee refuses access to records or information requested pursuant to RCW 50.13.050(1), the request form shall be sent to the appeal tribunal for handling by the examiner who is to hear the case in question. The examiner shall authorize the disclosure of the information or records if he deems them material to the proceeding. If the examiner does not deem the information or records material, he shall notify the interested party that they will not be disclosed and include an explanation of his action in his decision in the proceeding. After the decision of the appeal examiner and within the time limit provided in RCW 50.32.070, the interested party may petition the commissioner for a new hearing or the re-opening of a hearing if the refusal to disclose was improper and prejudiced the presentation of the party's case. This procedure for review by the commissioner shall be in lieu of the procedure provided in WAC 192-15-050.

NEW SECTION

WAC 192-15-050 COMMISSIONER'S REVIEW OF DENIALS OF PUBLIC RECORDS REQUESTS.

(1) Any person who objects to the written denial of a request for a public record may petition for prompt review of such decision by tendering a written request for review to the records officer, or other staff member denying the request. The written request shall specifically refer to the written statement by the records officer, or other staff member, which constituted or accompanied the written denial.

(2) Immediately after receiving a written request for review of a decision denying a public record, the records officer, or other staff member denying the request, shall refer it to the commissioner of the employment security department. The commissioner shall immediately consider the matter and either affirm or reverse such written denial. In any case, the request shall be returned with a final decision, within two business days following the original written denial.

(3) Administrative remedies shall not be considered exhausted until the employment security department has returned the petition with a decision or until the close of the second business day following denial of inspection, whichever occurs first.

NEW SECTION

WAC 192-15-060 ACCESS TO INDIVIDUAL OR EMPLOYING UNIT RECORDS OR INFORMATION BY GOVERNMENT AGENCIES—RCW 50.13.060.

(1) Applications by government agencies for information or records deemed private and confidential by chapter 50.13 RCW shall be made to the responsible departmental employees specified in WAC 192-15-040. The applications shall be in writing on forms provided by the department.

(a) If the departmental employee is reasonably satisfied that the application meets the requirements of RCW 50.13.060, the government agency may have access to the information or records.

(b) If the departmental employee is not reasonably satisfied that the application meets the requirements of RCW 50.13.060 and refuses access, the agency may attach its application to the form specified by WAC 192-15-040(4) and obtain review of the refusal in the manner outlined in WAC 192-15-040 and 192-15-050.

(2) In the event of a refusal by a responsible departmental employee to release records or information under RCW 50.13.060(3), the government agency can immediately contact the commissioner for appeal.

(3) RCW 50.13.060(5) shall be interpreted to permit establishment of routine procedures for detection of fraud by claimants under the various social programs administered by government agencies. This statute permits access only to information needed to identify individuals improperly claiming under different programs. Further investigation of employment security department files concerning these individuals may be accomplished only if the normal requirements of RCW 50.13.060 are met.

(4) The term "other official of the agency" as used in RCW 50.13.060(1)(b) means an employee who has substantial responsibility for the operation of the requesting agency or for one or more of its programs or administrative units.

NEW SECTION

WAC 192-15-070 RESPONSE TO SUBPOENAS—RCW 50.13.070. An employee called to testify in a judicial or administrative proceeding shall not disclose information or records deemed private and confidential under chapter 50.13 RCW, unless the presiding officer makes a finding that the need for the disclosure outweighs any reasons for the privacy and confidentiality of the records or information, or unless the employee is responding to a subpoena containing such a finding.

An employee receiving a subpoena should notify one of the responsible departmental employees who has been designated to handle requests for public records pursuant to WAC 192-15-040. This latter employee should make arrangements for the appropriate response to the subpoena, including attendance of the proper employee before the tribunal. The departmental employee may contact the records officer for guidance.

NEW SECTION

WAC 192-15-080 ACCESS TO PUBLIC RECORDS FOR OPERATION AND MANAGEMENT PURPOSES—RCW 50.13.080. RCW 50.13.080 shall be interpreted to permit incidental access to private or confidential information and records by private parties who are assisting the department in such areas as data processing and collection of employment security contributions. These parties are bound by the rules of confidentiality and privacy applicable to departmental employees and their activities will be monitored by the department to insure that private and confidential information or records are being handled correctly.

NEW SECTION

WAC 192-15-090 CONSENT TO RELEASE OF RECORDS OR INFORMATION—RCW 50.13-100. RCW 50.13.100, concerning consent to release of information or records deemed private and confidential, shall be liberally interpreted so that the department may release information or records to third parties who have been able to supply the department with reasonable written or oral assurances of their identity and that they are acting with the approval of the individual or employing unit whose records are involved. In cases where a certain record contains information about more than one individual or employing unit, all individuals or employing units concerned must give their consent before a record may be released or disclosed to other than the individuals or employing units.

NEW SECTION

WAC 192-15-100 DISCLOSURE RELATED TO EMPLOYMENT SECURITY PROGRAMS. Chapter

50.13 RCW shall not be interpreted to prevent the employment security department from:

(1) Disclosing information in carrying out the department's duties under Title 50 RCW or under any other program for which the department is responsible; or

(2) Disclosing information to the employment security agencies of other states when such disclosure relates to the administration of the employment security law of the requesting state; or

(3) Disclosing information to the internal revenue service when such disclosure relates to the federal Unemployment Tax Act.

NEW SECTION

WAC 192-15-110 PUBLIC RECORDS AVAILABLE. All public records of the employment security department, as defined in WAC 192-15-020 shall be available for public inspection and copying pursuant to these rules, except as otherwise provided by RCW 42.17.310.

NEW SECTION

WAC 192-15-120 OFFICE HOURS. Public records shall be available for inspection and copying during the customary office hours of the employment security department. For the purposes of this chapter, the customary office hours shall be from 9:00 a.m. to noon and from 1:00 p.m. to 4:00 p.m., Monday through Friday, excluding legal holidays.

NEW SECTION

WAC 192-15-130 COPYING. No fee shall be charged for the inspection of public records. The employment security department shall charge an established amount per page of copy for providing copies of public records and for use of the employment security department copy equipment. This charge is the amount necessary to reimburse the employment security department for its actual costs incident to such copying.

NEW SECTION

WAC 192-15-140 PROTECTION OF PUBLIC RECORDS. When a public record is turned over for inspection or copying, a place will be provided so that adequate surveillance may be made to prevent damage, disorganization, and loss of such records. At no time shall the original record be transported from one area to another without a member of the agency staff being present.

NEW SECTION

WAC 192-15-150 RECORDS INDEX. (1) The employment security department has available to all persons a current index which provides identifying information as to the following records:

(a) Final opinions, including concurring and dissenting opinions, as well as orders, made in the adjudication of cases;

- (b) Those statements of policy and interpretations of policy, statute and the regulations which have been adopted by the agency;
- (c) Administrative staff manuals and instructions to staff that affect a member of the public;
- (d) Planning policies and goals, and interim and final planning decisions;
- (e) Factual staff reports and studies, factual consultant's reports and studies, scientific reports and studies, and any other factual information derived from tests, studies, reports or surveys, whether conducted by public employees or others; and
- (f) Correspondence, and materials referred to therein, by and with the agency relating to any regulatory, supervisory or enforcement responsibilities of the agency, whereby the agency determines, or opines upon, or is asked to determine or opine upon, the rights of the state, the public, a subdivision of state government, or of any private party.

(2) The current index promulgated by the employment security department shall be available to all persons under the same rules and on the same conditions as are applied to public records available for inspection.

NEW SECTION

WAC 192-15-160 RESPONSIBLE ADDRESSEE. All communications with the employment security department including but not limited to the submission of materials pertaining to its operations and/or the administration or enforcement of chapter 1, Laws of 1973 and these rules; requests for copies of the employment security department's decisions and other matters, shall be addressed as follows: Employment Security Department, Attention: Administrator, Office of General Administration, Olympia, Washington 98504.

NEW SECTION

WAC 192-15-170 FORMS. The employment security department will provide forms for use by all persons requesting inspection and/or copying or copies of its records.

AMENDATORY SECTION (Amending Order 2-77, filed 9/2/77)

WAC 192-16-001 INTERPRETATIVE REGULATIONS—EMPLOYER REPORTS—EFFECT OF OMITTING INFORMATION—LIMITATION. RCW 50.12.070 ((as amended by section 3, chapter 33, Laws of 1977 ex. sess.)) generally requires employers to maintain accurate employment records and file required reports. Due to the failure on the part of certain employers to accurately report the number of weeks worked on their quarterly detail reports the processing of benefit claims has been hampered. In view of the requirements of federal law that unemployment insurance claims be promptly paid the department felt it necessary to have available to it a method of establishing and computing entitlement, at least on an interim basis, in an expeditious though necessarily arbitrary manner. The amendatory section was submitted with this remedy in mind.

The section is to be applied in the computation and establishment of initial claims filed on and after the week commencing June 29, 1975. If an employer reports 0 weeks on the form it will be deemed a completed report and the entitlement will be computed on that basis. If the employer leaves the "weeks worked" box blank, the computation called for in the act will be applied in establishing the individual's right to benefits as set forth in the initial determination issued pursuant to RCW 50.20.140.

All employers are required to report the number of hours worked by each worker beginning July 1, 1977. If an employer reports 0 hours on the quarterly wage report form, EMS 5208, it will be deemed a completed report and the entitlement will be computed on that basis. If the employer leaves the "hours worked" column blank the computation called for in the act will be applied in establishing the individual's right to benefits as set forth in the initial determination issued pursuant to RCW 50.20.140.

The mathematical computation made by the department in accordance with this section will not be subject to employer appeal; however, the subsequent submittal of accurate and complete reports may result in a redetermination by the department. Benefits paid prior to the redetermination which are based on the arbitrary computation will be charged to each employer's account as though the initial determination were accurate even though subsequent redetermination based on accurate information would result in the issuance of a determination that the claim was invalid.

The amount paid to any claimant on the basis of the initial determination issued in accordance with the arbitrary computation procedure will not be established as an overpayment in the absence of fraud, misrepresentation or nondisclosure on the part of the claimant (RCW 50.20.160(1)); however, the department will not continue to pay benefits to a claimant once a redetermination of nonentitlement, based on accurate information on a complete wage detail report, has been issued. It was not the intention of the department in submitting the legislation, nor do we believe it was the intention of the legislature in adopting the legislation, to establish an exception to the qualification criteria, RCW 50.04.030, which would allow the continued payment of unemployment insurance benefits to individuals clearly not meeting the basic qualification criteria. It would be an unsound policy to dispense public funds in the guise of a penalty against an employer who has failed to comply with the provisions of the law when in fact it is the unemployment insurance fund which suffers the detriment and only the unqualified individual who is benefited.

AMENDATORY SECTION (Amending Order 2-77, filed 9/2/77)

WAC 192-16-002 INTERPRETATIVE REGULATIONS—EMPLOYER REPORTS—FURTHER DEFINING HOURS WORKED—RCW 50.12.070. RCW 50.12.070 ((as amended by section 3, chapter 33, Laws of 1977 ex. sess.)) requires employers to report "the hours worked by each worker and such

other information as the commissioner may by regulation prescribe," beginning July 1, 1977. In order to further define what hours should be included on quarterly wage reports, the commissioner accordingly prescribes as follows:

(1) **Vacation Pay.** The employee will be credited for the actual number of hours on leave with pay. Vacations without pay will not count as hours worked. Cash payments in lieu of vacations will not be counted as hours worked.

(2) **Sick Leave Pay.** Hours will not be reported for sick pay excluded under the provisions of RCW 50.04.330(1). However, sick pay which is not excluded under the provisions of RCW 50.04.330(1) shall be reported as leave with pay and the number of hours reported accordingly.

(3) **Overtime.** The number of hours actually worked for which overtime pay or compensatory time is provided, will be reported without regard to the amount of compensation paid.

(4) **Employees On Salary.** If a salaried employee works irregular nonstandard weeks, he or she shall be reported for the actual number of hours worked. In the absence of reliable time figures, a full-time salaried employee will be reported for 40 hours worked for each week in which any of his or her duties are performed.

(5) **Commissioned Employees.** Employees compensated by commission will be reported for the actual number of hours worked. In the absence of reliable time figures, a full-time commissioned employee will be reported for 40 hours worked for each week in which any of his or her duties are performed.

(6) **Wages In Lieu Of Notice.** Employees paid wages in lieu of notice will be reported for the actual number of hours compensated thereby.

(7) **Severance Pay.** Since the payment is predicated on past services, no additional hours are to be reported for severance pay. Severance pay is compensation for the separation from the employment itself as distinguished from wages in lieu of notice which compensates the employee for the amount of wages or salary he or she would have earned during the specified notice period.

(8) **Payments In Kind.** The actual number of hours worked (or reasonable estimate thereof) for performing services which are compensated only by payment in kind shall be reported.

(9) **Bonuses, Tips And Other Gratuities.** If such compensation is received during the course of performing regular compensated services for which hours are reported, no additional hours shall be reported for items in these categories. However, if the sole compensation for services performed are from any of these items, hours shall be reported.

(10) **Fractions Of Hours.** If the employee's total number of hours for the quarter results in a fraction amount, the total figure will be rounded off to the next higher number.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 192-16-003 INTERPRETATIVE REGULATIONS—EFFECT OF REPEAL OF RCW 50-20.030—PREGNANCY DISQUALIFICATION.

REPEALER

The following sections of the Washington Administrative Code are hereby repealed:

- | | |
|----------------------------|--|
| (1) <u>WAC 192-14-010</u> | PURPOSE. |
| (2) <u>WAC 192-14-020</u> | DEFINITIONS. |
| (3) <u>WAC 192-14-030</u> | DESCRIPTION OF CENTRAL AND FIELD ORGANIZATION OF EMPLOYMENT SECURITY DEPARTMENT. |
| (4) <u>WAC 192-14-040</u> | OPERATIONS AND PROCEDURES. |
| (5) <u>WAC 192-14-050</u> | PUBLIC RECORDS AVAILABLE. |
| (6) <u>WAC 192-14-060</u> | PUBLIC RECORDS OFFICER. |
| (7) <u>WAC 192-14-070</u> | OFFICE HOURS. |
| (8) <u>WAC 192-14-080</u> | REQUESTS FOR PUBLIC RECORDS. |
| (9) <u>WAC 192-14-090</u> | COPYING. |
| (10) <u>WAC 192-14-100</u> | EXEMPTIONS. |
| (11) <u>WAC 192-14-110</u> | REVIEW OF DENIALS OF PUBLIC RECORDS REQUESTS. |
| (12) <u>WAC 192-14-120</u> | PROTECTION OF PUBLIC RECORDS. |
| (13) <u>WAC 192-14-130</u> | RECORDS INDEX. |
| (14) <u>WAC 192-14-140</u> | RESPONSIBLE ADDRESSEE. |
| (15) <u>WAC 192-14-150</u> | FORMS. |

WSR 78-09-028

ADOPTED RULES

DEPARTMENT OF ECOLOGY

[Order DE 78-15—Filed August 15, 1978]

I, Elmer C. Vogel, deputy director of the Department of Ecology, do promulgate and adopt at the Department of Ecology, the annexed rules relating to the designation of associated wetlands in San Juan County which constitute shorelines of the state and are subject to the Shoreline Management Act of 1971, as defined by RCW 90.58.030(2)(c), (d), (e), (f) and (g); amending chapter 173-22 WAC—Adoption of Designations of Wetlands Associated with Shorelines of the state.

This action is taken pursuant to Notice No. WSR 78-06-126 filed with the code reviser on 6/7/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 90.58.200 and 90.58.030(2)(f) and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 10, 1978.
By Elmer C. Vogel
Deputy Director

Reviser's Note: The maps comprising the designation of associated wetlands in San Juan County which constitute shorelines of the state as defined by RCW 90.58.030(c), (d), (e), (f), and (g) have been omitted from publication in the Register under the authority of RCW 34.04.050(3) as being unduly cumbersome to publish. Copies of the rules may be obtained from the Department of Ecology, St. Martin's College, Lacey, Washington 98504.

WSR 78-09-029
ADOPTED RULES
EASTERN WASHINGTON UNIVERSITY
[Resolution 78-03—Filed August 16, 1978]

Be it resolved by the board of trustees of the Eastern Washington University, acting at Cheney, Washington, that it does promulgate and adopt the annexed rules relating to constitution of associated students, amending chapter 172-114 WAC.

This action is taken pursuant to Notice No. WSR 78-06-044 filed with the Code Reviser on 5/22/78. Such rules shall take effect pursuant to RCW 28B.19.050(2).

This rule is promulgated under the general rule-making authority of the Eastern Washington University as authorized in RCW 28B.40.120(11).

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED July 27, 1978.
By Mrs. Frederick Wilson, Jr.
Chairman

Chapter 172-114 WAC
CONSTITUTION OF ASSOCIATED STUDENTS

WAC

172-114-010	Preamble
172-114-120	Article I: Name, Definitions and Membership
172-114-030	Article II: Student Rights and Responsibilities
172-114-040	Article III: Legislation
172-114-050	Article IV: Executive
172-114-060	Article V: Elections
172-114-070	Article VI: Judicial
172-114-080	Article VII: Rescind, Recall, Initiative, Referendum and Inspection of Records
172-114-090	Article VIII: Budgeting
172-114-100	Parliamentary Authority
172-114-110	Amendments

Reviser's Note: The above reference to WAC 172-114-120 appears to be in error and should refer to WAC 172-114-020, but is displayed herein exactly as filed by the agency pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending Order 72-9, filed September 20, 1972)

WAC 172-114-010 PREAMBLE. We, the Associated Students of Eastern Washington ((State College)) University, in order to develop in the students the concept of self government; an appreciation and understanding of democratic values and processes; to strengthen in the student the realization of his rights, responsibilities, and common interest with the community as a citizen, to represent student interests, needs and welfare; to develop in the students an understanding and appreciation of their personal, social, and vocational relationship to the society in which they live; develop in the students fellowship and understanding; and to provide a physical and social environment in which to achieve the above objectives do affirm and establish this Constitution subject to the authority vested in the Associated Students by the Board of Trustees of Eastern Washington ((State College)) University.

AMENDATORY SECTION (Amending Order 74-8, Filed October 1, 1974)

WAC 172-114-020 ARTICLE I: NAME, DEFINITIONS, AND MEMBERSHIP. (1) The name of this organization shall be the "Associated Students of Eastern Washington ((State College)) University", referred to herein as "A.S.".

(2) When used in this Constitution, the following terms shall mean:

(a) "((College)) University" means Eastern Washington ((State College)) University and, collectively those responsible for its control and operation.

(b) "Student" includes all persons enrolled in any course at the ((college)) university.

(c) "Instructor" means all persons hired by the ((college)) university to conduct classroom activities. In certain situations a person may be both "student" and "instructor". Determination of his status in a particular situation shall be determined by the surrounding facts.

(d) "Legal compulsion" means a state or federal judicial or legislative order which requires some action by the person to whom it is directed.

(e) "Organization" means a number of persons who have complied with the formal requirements of ((college)) university recognition as in WAC 172-114-030(5).

(f) "Group" means members of the ((college)) university community who have not yet complied with the formal requirements for becoming an organization.

(g) "Student press" means either an organization whose primary purpose is to publish and distribute any publication on campus or a regular publication of a campus organization.

(h) "Shall" is used in the imperative sense.

(i) "May" is used in the permissive sense.

(j) All other terms have their natural meaning unless the context dictates otherwise.

(3) All students who are registered for one (1) credit hour or more at Eastern Washington ((State College)) University shall be members of this organization for the period of time covered by the fee.

AMENDATORY SECTION (Amending Order 74-8,
Filed October 1, 1974)

**WAC 172-114-030 ARTICLE II: STUDENTS
RIGHTS AND RESPONSIBILITIES.** (1) The following enumeration of rights shall not be construed to deny or disparage others retained by students in their capacity as members of the student body or as citizens.

(2) Access to higher education. Within the limits of its facilities and budget, the ((college)) university shall be open to all applicants who are qualified according to its admission requirements. No person once enrolled may be denied attendance or academic advancement except for disqualification on academic grounds or conviction of violating ((college)) university rules.

(3) Education.

(a) Students are free to pursue their educational goals within existing ((college)) university programs; appropriate opportunities for learning shall be provided by the state within its financial resources and the student's ability. This shall include the knowledge, imagination, and dedication of faculty and administrators through excellent teaching and readily available and adequate advice and counsel.

(b) Discussion and expression of all views relevant to the subject matter is permitted in the classroom subject only to the responsibility of the instructor to maintain order and to present course content. Students are responsible for learning the content of any course for which they are enrolled. Requirements for participation in classroom discussion and submission of written exercises are not inconsistent with this section.

(c) Academic evaluation of student performance shall be neither prejudicial nor capricious. Information about student views, beliefs, and political associations acquired by professors in the course of their work as instructors, advisers, and counselors, is confidential and is not to be disclosed to others unless under legal compulsion. Questions relating to intellectual or skills capacity are not subject to this section.

(4) Campus Expression.

(a) Free inquiry, expression, petition, and assembly are guaranteed to all students. Support of any cause by lawful means which do not disrupt the operation of the ((college)) university is permitted. Students, groups, and campus organizations may invite and hear any persons of their own choosing subject only to the requirements for use of ((college)) university facilities.

(b) The right of peaceful protest is granted within the ((college)) university community. The ((college)) university retains the right to assure the safety of individuals, the protection of property, and the continuity of the educational process.

(c) Orderly picketing and other forms of peaceful protest are permitted on ((college)) university premises. Interference with ingress to and egress from ((college)) university facilities, interruption of classes, or damage to property exceeds permissible limits. Even though remedies are available through local enforcement bodies, the ((college)) university may choose to impose its own disciplinary sanctions.

(d) Every student has the right to be interviewed on campus by any legal organization desiring to recruit at the ((college)) university. Any student, group, or organization may protest against any such organization provided that protest does not interfere with any other student's right to have such an interview.

(5) Campus Organizations.

(a) Organizations and groups may be established within the ((college)) university for any legal purpose. Affiliation with an extramural organization shall not, in itself, disqualify the ((college)) university branch or chapter from ((college)) university privileges. Any organization which engages in illegal activities may have sanctions imposed against it including withdrawal of ((college)) university recognition for a period not exceeding one (1) year.

(b) A group shall become an organization when formally recognized by the ((college)) university. All groups that meet the following requirements shall be recognized:

(i) Submission of a list of officers and copies of the constitution and bylaws to the appropriate ((college)) university official or body. All changes and amendments shall be submitted within one (1) week after they become effective.

(ii) Where there is affiliation with an extramural organization, that organization's constitution and bylaws shall be filed with the appropriate ((college)) university official or body. All amendments shall be submitted within a reasonable time after they become effective.

(iii) All sources of outside funds shall be disclosed.

(c) Membership in all ((college)) university related organizations, within the limits of their facilities, shall be open to any member of the ((college)) university community who is willing to subscribe to the stated aims and meet the stated obligations of the organization.

(d) ((College)) University facilities shall be assigned to organizations, groups, and individuals within the ((college)) university community for regular business meetings, for social programs, and for programs open to the public; provided:

(i) Reasonable conditions may be imposed to regulate the timeliness of requests, to determine the appropriateness of the space assigned, to regulate time and use, and to insure proper maintenance.

(ii) Preference may be given to programs designed for audiences consisting primarily of members of the ((college)) university community.

(iii) Allocation of space shall be made based on priority of requests and the demonstrated needs of the organization, group or individual.

(iv) The ((college)) university may delegate the assignment function to an administrative official or a student committee or organization.

(v) Charges may be imposed for any unusual costs for use of facilities.

(vi) Physical abuse of assigned facilities shall result in reasonable limitations on future allocation of space to offending parties and restitution for damages.

(vii) The individual, group, or organization requesting space must inform the ((college)) university of the names of outside speakers and indicated subject.

(e) No individual, group, or organization may use the ((college)) university name without the express authorization of the ((college)) university, except to identify the ((college)) university affiliation. ((College)) University approval or disapproval of any policy may not be stated or implied by any individual, group, or organization.

(6) Publications

(a) A student, group, or organization may distribute written material on campus without prior approval providing such distribution does not disrupt the operations of the ((college)) university and the material clearly states the publisher.

(b) The student press is to be free of censorship. The editors and manager shall not be arbitrarily suspended because of student, faculty, administration, alumni, or community disapproval of editorial policy or content. Similar freedom is assured oral statements of views on a ((college)) university controlled and student-operated radio or television station. This editorial freedom entails a corollary obligation under the canons of responsible journalism and applicable regulations of the Federal Communications Commission.

(c) All student communications shall explicitly state on the editorial page or in broadcast that the opinions expressed are not necessarily those of the ((college)) university or its student body.

(7) ((College)) University Government.

(a) All constituents of the ((college)) university community are free, individually and collectively, to express their views on issues of ((college)) university policy and on matters of interest to the student body. Clearly defined means shall be provided for student expressions on all ((college)) university policies affecting academic and student affairs.

(b) The role of student government and its responsibilities shall be made explicit. Student government actions reviewed by the ((college)) university shall only be reviewed through procedures agreed upon in advance.

(c) On questions of education policy, students are entitled to a participatory function. Faculty-student committees shall be created to consider questions of policy affecting student life. Students shall be designated as members of standing and special committees concerned with ((college)) university policy affecting academic and student affairs, including those concerned with curriculum, discipline, admissions, and allocation of student fees.

(8) Privacy.

(a) The right of students to be secure in their persons, living quarters, papers, and effects against unreasonable searches and seizures is guaranteed. These rights of privacy extend to ((college)) university-owned housing. Nothing in the ((college)) university relationship or housing contract may expressly or by implication give the ((college)) university or housing officials authority to consent to a search of a student's room by police or other government officials, or anyone else.

(b) When the ((college)) university seeks access to a ((college)) university-owned student room to determine compliance with provisions of applicable multiple dwelling unit laws or for improvement or repairs, the occupant shall be notified of such action not less than

twenty-four (24) hours in advance. There may be entry without notice in emergencies where imminent danger to life, safety, health, or property is reasonably feared.

(9) Student Records.

(a) The privacy and confidentiality of all student records shall be preserved. Official student academic records, supporting documents, and other student files shall be maintained only by full time members of the ((college)) university staff employed for that purpose. Separate files shall be maintained of the following: academic records, supporting documents, and general educational records; records of discipline proceedings; medical and psychiatric records; and financial aid records.

(b) No entry may be made on a student's academic record and no document may be placed in his file without actual or constructive notice to the student. All matters placed in a student's file in accordance with published customary and ordinary policies, procedures, and regulations, shall constitute constructive notice.

(c) Access to his official, institutional records and files is guaranteed every student subject only to reasonable regulations as to time, place, and supervision. A student may challenge the accuracy of any entry or the presence of any item by bringing the equivalent of an equitable action against the appropriate person.

(d) No information in any student file may be released to anyone except with the prior written consent of the student concerned or as stated below:

(i) Members of the faculty with administrative assignments may have access for internal educational purposes as well as routinely necessary administrative and statistical purposes.

(ii) The following data may be given an inquirer: school or division of the enrollment, periods of enrollment, degrees awarded, honors, and major field.

(iii) If any inquiry is made in person or by mail, the following information may be given in addition to that in subsection (ii) immediately above: address and telephone number, date of birth, and unless the student has instructed the registrar's office not to release copies of his transcript without his written authorization, academic information from the transcript will be released when it is clear the institution is being cited as an educational reference.

(iv) Properly identified officials from federal, state, and local government agencies may be given the following information upon express request in addition to that in subsections (ii) and (iii) immediately above: name and address of parent or guardian if student is a minor, and any information required under legal compulsion.

(v) Unless under legal compulsion, personal access to a student's file shall be denied to any person making an inquiry.

(e) Upon graduation or withdrawal from the ((college)) university, the records and files of former students shall continue to be subject to the provisions of this section.

(10) Procedural Standards in Disciplinary Proceedings. Disciplinary proceedings must guarantee fundamental concepts of fair play (due process). The procedural requirements of due process may vary with

the seriousness of the charge. In every proceeding in which a major disciplinary action is contemplated, the student shall have the rights of due process, including at least:

(a) The student shall be informed, in writing, of the reasons for the proposed disciplinary action, including charges, with sufficient time to ensure opportunity to prepare for the hearing.

(b) The burden of proof shall rest upon the official bringing the charge.

(c) Upon request, the right to: closed proceedings, confrontation and cross examination of witnesses, be present, challenge any member hearing the case and witnesses, a record of the appeal at least one (1) step beyond the initial determination.

(d) All matters upon which the decision may be based must be introduced into evidence at the proceeding. The decision shall be based solely upon such matter. Illegally acquired evidence may not be admitted.

(e) No person who is otherwise interested in the particular case may sit in judgment during the proceeding.

(f) The decision shall be final subject only to the student's right to appeal.

(11) Procedural Standards in Student Complaint Proceedings. If students have complaints of infringement of their rights, they shall, on request, have a hearing. Minimum requirements of procedural due process for all persons shall include those in WAC 172-114-030(10) and:

(a) The ((hearing committee)) University Disciplinary Committee should include both faculty and student members.

(b) The decision of the ((hearing committee)) University Disciplinary Committee should be final, subject only to the right of appeal by parties concerned.

(12) Dual Membership. Activities of students may upon occasion result in violation of law. Students who violate the law may incur penalties prescribed by civil authorities, but institutional authority should never be used merely to duplicate the function of general laws. Only where the institution's interests as an academic community are distinct and clearly involved should the special authority of the institution be asserted. The student who incidentally violates institutional regulations in the course of his off-campus activity, such as those relating to class attendance, should be subject to no greater penalty than would normally be imposed. Institutional action should be independent of community pressure.

Reviser's Note: WAC 1-13-130 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION (Amending Order 75-8, Filed July 24, 1975)

WAC 172-114-040 ARTICLE III: LEGISLATION (1) The legislative powers of the A.S. shall be vested in the Legislature and may not be transferred.

(2) All legislation shall include: the names of the sponsor(s), date of introduction, committee referred to — if any, disposition, and date of disposition, signatures

of A.S. Speaker and A.S. President; take effect immediately upon ((passage, unless a later date is specified)) signature by the A.S. President or override of his veto by the A.S. Legislature; and shall continue in effect until five (5) years from the last date of ((passage)) signature or override or until rescinded.

(3) The voting members of the Legislature shall consist of fifteen (15) representatives known as legislators, elected by numbered, at-large positions for one (1) year terms. The legislators shall take office on the last day of the quarter in which they are elected, as follows: Positions 1 through 5, elected Fall Quarter; Positions 6 through 10, elected Winter Quarter; Positions 11 through 15, elected Spring Quarter. Provided, that no person may hold more than one (1) voting seat in the Legislature, and the A.S. President and A.S. Vice President may not hold ((a)) voting ((seat)) seats in the Legislature.

(4) Candidates/members for/of the Legislature shall be members of the A.S. and have/maintain a two point (2.00) cumulative grade point average, be enrolled for and complete six (6) credit hours in the previous quarter (excluding summer quarter), and have at least one (1) quarter in residence. A legislator's office shall become vacant upon the incumbent's death, resignation, recall, withdrawal from membership in A.S. (excluding summer quarter), or declaration of non-performance of duties stated in this constitution, or violation of this constitution, by the A.S. Superior Court. ((Should there be a vacancy in a legislative position, the Student Welfare Committee, with the approval of the Legislature, shall recommend three (3) students to the A.S. President, who shall select one (1) of the three (3) to fill the vacancy.)) Legislators who miss three (3) full regularly scheduled consecutive meetings or four (4) full regularly scheduled meetings during a quarter shall have their seat declared vacant by the A.S. Speaker. All vacancies shall be filled for the balance of the term at the next regularly scheduled election.

(5) The Legislature shall be the judge of all of the A.S. election returns and of the qualifications of its legislators and a majority of its legislators shall constitute a quorum; ((it may compel the attendance of absent legislators in such manner and under such penalties as it may provide; and)) there shall be no proxy voting; and there shall be no secret balloting.

(6) The Legislature shall meet not less than ((twice)) once each month during Fall, Winter, and Spring Quarters, and at special meetings called by the Speaker, one third (1/3) of its legislators, or by the presentation to the President of a petition signed by five per cent (5%) of the A.S. All meetings shall be open to the public, a record shall be kept of the votes taken therein, and copies of the minutes shall be available to any member of the ((college)) university community upon request.

(7) The Legislature shall have the following powers and duties:

(a) Be responsible for its own organization, election of legislative committees, the employment and supervision of those employees whom it deems necessary to assist it or individual legislators in the exercise of their legislative

duties and powers, provided it budgets for same, and said salaries shall not exceed a cabinet member's salary.

(b) Elect an A.S. legislator to the position of Speaker the third (3rd) meeting of Fall, Winter, and Spring Quarters, who shall serve one (1) quarter not counting Summer Quarter. Vacancies occurring in the Speaker's office shall be filled in the same manner for the balance of the unexpired term.

(c) Elect an A.S. legislator to the position of Speaker Pro-Tem the third (3rd) meeting of Fall, Winter, and Spring Quarters who shall serve one (1) quarter not counting Summer Quarter. Vacancies occurring in the Speaker Pro-Tem's office shall be filled in the same manner for the balance of the unexpired term.

(d) The Legislature shall elect from among its members a Legislative Coordinator to serve during Summer Quarter who may receive a salary not to exceed that of a Cabinet Member.

((d)) (e) Shall enforce this Constitution.

((e)) (f) May remove a cabinet officer for nonperformance of duties or violation of this Constitution.

((f)) (g) May request the A.S. Superior Court to find the A.S. President guilty of nonperformance of duties stated in this Constitution or violation of this Constitution.

((g)) (h) Upon a two-thirds (2/3) vote of the A.S. Legislature, the A.S. President may be recalled as described in WAC 172-114-080(5).

((h)) (i) No legislative committee shall have the authority to delay presentation to the full Legislature legislation referred to it for more than two (2) meetings without permission of the sponsor.

((i)) (j) Budget and disbursal of all funds on behalf of A.S.

((j)) (k) Cause to have published an annual Financial Statement and Audit.

((k)) (l) Establish policies for and have supervision of all officials, budgets, committees, and organizations.

((l)) (m) Render advice upon and approve or reject all appointments made by officials of the Associated Students of Eastern Washington ((State College)) University.

((m)) (n) Publish the A.S. Committee Manual stating the membership, eligibility, purpose, and duties of each committee.

((n)) (o) Approve and remove persons to and from committees.

((o)) (p) Enact all legislation necessary to ensure that its policies are enforced.

((p)) (q) Do anything else necessary or convenient to carry out this Constitution.

(r) By a two-thirds (2/3) vote of the A.S. Legislature, the A.S. Legislature may override a veto by the A.S. President.

(8) The Speaker shall have the following powers and duties: Prepare the agenda for and chair all meetings of the Legislature; call meetings of the Legislature; prepare a schedule of regular meetings at the beginning of Fall, Winter, and Spring Quarters for the advice and consent of the A.S. Legislature; appoint a clerk and other assistants which may be beneficial to the performance of his

office or the functioning of the Legislature, with its advice and consent, and to request salaries for the same, not to exceed a cabinet member's salary; shall be responsible for executing legislative decisions; all administrative matters of the Legislature; make all legislative appointments, except as otherwise provided in this Constitution, subject to the advice and consent of the Legislature; assume the duties of the Vice President during the Vice President's absence or disability or vacancy of the office of Vice President until the Vice Presidential vacancy is filled as provided for in Article ((H)) IV, section 2 (WAC 172-114-((030)) 050(2); and to do all things necessary or convenient to carry out such duties not in conflict with this Constitution.

AMENDATORY SECTION (Amending Order 75-8, Filed July 24, 1975)

WAC 172-114-050 ARTICLE IV: EXECUTIVE. (1) The executive power of the A.S. shall be vested in the A.S. President and A.S. Vice President and may not be transferred.

(2) Candidates for the ((office)) offices of and the A.S. President and A.S. Vice President shall be members of the A.S., shall have/maintain a two point (2.00) cumulative grade average, be enrolled for and complete six (6) credit hours in the previous quarter (excluding Summer Quarter for the A.S. Vice President), shall have a minimum of five (5) quarters as a full time student, at least ((two (2))) three (3) of which shall be in residence at the ((college)) university immediately prior to election for office. The A.S. President's and A.S. Vice President's office shall become vacant upon the incumbent's death, resignation, recall, withdrawal from membership in A.S. (excluding Summer Quarter for the A.S. Vice President), or declaration of nonperformance of duties states in this Constitution or violation of this Constitution, ((by a two-thirds (2/3) vote of the A.S. Legislature. Vacancies occurring in the President's office shall be filled at the next regular election for the balance of the unexpired term.)) by the A.S. Superior Court. In case of vacancy in the office of the Presidency, the Vice President shall assume the Presidency for the balance of the unexpired term.

(3) The President and Vice President shall serve one (1) year terms, or until ((his)) a successor takes office, taking office on the ((sixth (6th) Wednesday)) ninth (9th) Thursday of the quarter in which ((he is)) they are elected, which shall be Spring Quarter.

(4) The President shall serve as the chief executive officer and representative of A.S.; shall enforce this Constitution; shall be responsible for executing legislative and judicial decisions; shall present to the Legislature, at its first meeting of each quarter, his executive request legislation; may veto any Legislative Bill or Supplemental Budget passed by the A.S. Legislature within three (3) working days of passage; shall sign all Legislation within three (3) working days of passage or override of veto by the A.S. Legislature; may create cabinet positions and appoint cabinet officers with the advice and consent of the Legislature, who will serve at his pleasure except as provided for in Article III, Section 7 ((t))) (f) (WAC 172-114-040(7) ((t))) (f)), and

request salaries for such cabinet officers not to exceed the limit in Article VIII, section ((6)) 7 (WAC 172-114-090 ((6)) (7)); make all appointments in an expeditious manner, except as otherwise provided for in this Constitution, subject to the advice and consent of the Legislature; shall hold twice a month executive meetings with the A.S. Vice President, Cabinet, Speaker, and Speaker Pro-Tem while the university is in session; all administrative matters and programs of A.S. except as otherwise provided for in this Constitution; may request the A.S. Superior Court to find an A.S. Legislator guilty of nonperformance of his duties stated in this Constitution or violation of this Constitution; and do all things necessary or convenient to carry out such duties not in conflict with this Constitution.

(5) The Vice President shall assume the office of A.S. President upon that position being vacant as provided for in Article IV, Section 2 (WAC 172-114-050 (2)); assume any duties delegated by the President; shall supervise all A.S. elections; shall be responsible for validating all petitions; and assume the duties of the President during the President's absence or disability.

Reviser's Note: The typographical errors in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending Order 75-8, Filed July 24, 1975)

WAC 172-114-060 ARTICLE V: ELECTIONS.
 (1) There shall be a regular A.S. election on the ((fifth (5th) Wednesday)) eighth (8th) Thursday of Fall, Winter, and Spring quarters; it shall be preceded by a primary election one (1) week prior; filing shall close one (1) week prior to the primary election and shall open one (1) week prior to closing.

(2) The positions of legislators, President, Vice President, and vacancies therein shall be filled through regular elections with a majority of ballots cast being required for election.

(3) All those candidates who filed in the A.S. office by 5:00 o'clock p.m. on the last day of filing and are qualified shall have their names entered on the primary election ballot. The two (2) candidates receiving the most votes for each office in the primary, who are qualified, shall have their names entered on the final election ballot; provided, however, that in case of a tie for the second most votes in the primary, the three (3) candidates receiving the most votes for that office who are qualified shall have their names entered on the final election ballot.

(4) Should no candidate receive a majority in the final election, a run-off election shall be held one (1) week after the final election between the two (2) persons receiving the most votes in the final election, who are qualified, and only ballots for those two (2) persons shall be counted; provided, however, that in case of a tie for the second most votes in the final election, the run-off election shall be between the three (3) candidates receiving the most votes for the office, and only ballots for those three (3) persons shall be counted.

(5) Should no candidate receive a majority in a run-off election, the Legislature shall select the winner from

between those entered on the run-off election ballot, by a majority of the legislators at its next meeting.

(6) All votes shall be cast by secret ballot. The names of the candidates shall appear on the ballot in the order in which filed. All ballots shall be kept under lock and key for six (6) months after each election.

(7) The polls shall be located at:

(a) Pence Union Building;

(b) Tawanka Commons; and

(c) As otherwise provided for by the Legislature.

The polls shall be open from 8:00 o'clock a.m. until 7:00 o'clock p.m., and members of A.S. shall be allowed to vote upon presentation of suitable identification, providing that they shall be allowed to vote but once in each election.

(8) Any member of A.S. may present an "Application of Absent Voter" form to the Office of A.S. ((Executive)) Vice President or his/her designee for an absentee voter ballot.

(9) Two (2) election clerks shall be assigned to each polling place and they shall be solely responsible for supervising the ballots, ballot boxes, and voting at the polling place. They may not be, nor related to, any current student. They shall be employed through the office of the A.S. ((Executive)) Vice President.

AMENDATORY SECTION (Amending Order 72-9, Filed September 20, 1972)

WAC 172-114-070 ARTICLE VI: JUDICIAL.
 (1) The judicial authority of the A.S. shall be vested in a Superior Court and such lesser courts as the A.S. Legislature may from time to time establish. The judges, both of the Superior and lesser courts, shall be members of the A.S., ((and)) have ((and)) /maintain a two point (2.00) cumulative grade average, and be enrolled for and complete six (6) credit hours in the previous quarter (excluding Summer Quarter). Members of the Superior Court and lesser courts shall serve until they resign, cease to be a member of A.S. (excluding Summer Quarter), ((have less than a two (2.00) cumulative grade average;)) or shall be impeached and convicted for cause brought by a petition signed by at least three-fourths (3/4) of the Legislators and tried by the ((college hearing board)) University Disciplinary Committee.

(2) The Superior Court shall serve as a court of equity, the highest appellate court in the student judicial system, and shall have full powers of Judicial Review.

(3) No court may render an opinion, hear evidence, nor pass judgment in the absence of a quorum, which shall be a majority of the court.

(4) The Superior Court shall consist of seven (7) Justices who shall select from their members one (1) who shall serve as Chief Justice, the others serving as Associate Justices. It shall be the duty of the Chief Justice to preside as chairman and chief officer at all meetings of the Superior Court and may appoint a court clerk and other assistants which may be beneficial to the functioning of the Superior Court, with the advice and consent of the Legislature, and to request salaries for the same, not to exceed a cabinet member's salary.

(5) The Justices of the Superior Court shall be appointed by the President with the advice and consent of

the Legislature. Vacancies shall be filled in the same manner.

(6) The procedure of the judicial shall follow those principles of United States Law insofar as deemed practical and advisable by the bodies, and all proceedings of the judicial shall be recorded. All decisions shall be accompanied by a written opinion expressing the majority opinion and may be accompanied by dissenting or concurring written opinions. A copy of all Superior Court case records and court decisions and opinions shall be maintained in the ((College)) University Library.

(7) The Superior Court and lesser courts shall hear all cases and render opinions in as expeditious manner as is possible.

Reviser's Note: WAC 1-13-130 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

Reviser's Note: Errors of punctuation or spelling in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending Order 74-8, Filed October 1, 1974)

WAC 172-114-090 ARTICLE VIII: BUDGET-ING. (1) The budgeting authority of the A.S. shall be vested in the Legislature and may not be transferred.

(2) The budget shall include all funds, revenues, and reserves; shall be divided into programs, sub-programs, and objects of expense and shall include supporting data; shall indicate as to each program, sub-program, or object of expense the actual expenditures of the preceding two (2) fiscal years and requested appropriations for the next fiscal year; and shall include any proposed capital improvement program for the next six (6) fiscal years.

(3) Copies of the budget shall be delivered to each member of the Legislature and be available to any member of the ((college)) university community upon request.

(4) Unless otherwise provided by the appropriation legislation, all unexpended and unencumbered appropriations in the current expense appropriation legislation shall lapse at the end of the fiscal year. An appropriation in the capital budget appropriation legislation shall lapse when the project has been completed or abandoned or when no expenditure or encumbrance has been made for three (3) years.

(5) Any expenditure in excess of an appropriation shall be null and void; and any official, agent, or employee knowingly responsible shall be personally liable to anyone damaged by his action; providing the Legislature may permit the A.S. to enter into contracts requiring the payment of funds from appropriations of subsequent fiscal years.

(6) ((The A.S. President and A.S. Legislature's Speaker shall receive salaries at a rate of Five Hundred Dollars (\$500.00) per quarter that they are enrolled and in office except the Speaker shall not be paid for Summer Quarter. Cabinet Officers may be paid no more than one-half (1/2) of an elected officer's salary.)) Regular budgets shall be those budgets adopted during

Spring Quarter for the following fiscal year. Supplemental budgets shall be all other budget requests made throughout the year.

(7) The A.S. President and A.S. Speaker shall receive quarterly salaries based upon the following formula: Quarterly cost of in-state tuition, double occupancy room and board, and \$100 for expenses. The A.S. Vice President shall receive a quarterly salary, except for Summer Quarter, based upon the following formula: Quarterly cost of in-state tuition and double occupancy room and board. Cabinet officers may be paid no more than one-half (1/2) of the A.S. President's salary.

AMENDATORY SECTION (Amending Order 74-5, Filed June 5, 1974)

WAC 172-114-110 AMENDMENTS. (1) This Constitution may be amended by a two-thirds (2/3) vote of those voting on the proposed modification at any regular election ((and)) provided that 15% of the members of A.S. vote in that election. ((if)) If adopted, it shall become effective upon approval, as prescribed under Administrative Procedures Act hearing rules, by the board of Trustees.

(2) Proposed constitutional amendments shall be presented to the members of the A.S. for approval upon the request of at least two-thirds (2/3) of the voting members of the Legislature or upon petition of at least ten percent (10%) of the A.S.

(3) The By-Laws may be amended by a two-thirds (2/3) vote of the voting members of the Legislature providing that previous written notice of such amendment has been given at the previous meeting, or by a majority of those voting on the proposed modification at any regular election and if so adopted shall become effective immediately.

(4) Proposed By-Laws amendments shall be presented to the members of the A.S. for approval upon the request of at least one-half (1/2) of the voting members of the Legislature or upon at least ten percent (10%) of the members of the A.S.

(5) Approved constitutional and By-Laws amendments shall be incorporated into the article, section, and clause of the Constitution or By-Laws to which they refer.

Reviser's Note: WAC 1-13-130 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

WSR 78-09-030 ADOPTED RULES DEPARTMENT OF TRANSPORTATION

[Order 20—Filed August 16, 1978]

I, W. A. Bulley, Secretary of Department of Transportation, do promulgate and adopt at Room 1D-9, Highway Administration Building, Olympia, WA, the annexed rules relating to addition of, Appendix to chapter 252-990 WAC, the definition of the sign message WHEN CHILDREN ARE PRESENT.

This action is taken pursuant to Notice No. WSR 78-07-075 filed with the code reviser on 6/30/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to chapter 47.36 RCW, Traffic Control Devices and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 14, 1978.

By W. A. Bulley
Secretary

**ADDITION OF
APPENDIX TO CHAPTER 252-990 WAC
DEFINITION
OF
SCHOOL SPEED LIMIT SIGN SUPPLEMENT
"WHEN CHILDREN ARE PRESENT"**

The supplemental or lower panel of a "SCHOOL SPEED LIMIT 20" sign which reads, "WHEN CHILDREN ARE PRESENT" shall indicate to the motorist that the 20 mile per hour school speed limit is in force under the following conditions: —

- (1) School children are occupying or walking within the marked crosswalk.
- (2) School children are waiting at the curb or on the shoulder of the roadway and are about to cross the roadway by way of the marked crosswalk.
- (3) School children are present or walking along the roadway, either on the adjacent sidewalk or, in the absence of sidewalks, on the shoulder within the posted school speed limit zone which extends 300 feet in either direction from the marked crosswalk.

**WSR 78-09-031
PROPOSED RULES
DEPARTMENT OF TRANSPORTATION**
[Filed August 16, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Transportation intends to adopt, amend, or repeal rules concerning the amendment to WAC 252-32-101, allowing emergency parking only along State Route 101 in the community of Brinnon;

and that the adoption, amendment, or repeal of such rules will take place at 10:00 a.m., Monday, October 16, 1978, in the Room 1D9, Highway Administration Building, Olympia, WA 98504.

The authority under which these rules are proposed is RCW 46.61.570.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to October 16, 1978, and/or orally at 10:00

a.m., Monday, October 16, 1978, Room 1D9, Highway Administration Building, Olympia, WA 98504.

Dated: August 16, 1978
By: W. A. Bulley
Secretary

AMENDATORY SECTION (Amending Order 7, filed 12/30/77)

WAC 252-32-101 STATE ROUTE 101. (1) Astoria Bridge Vicinity. Parking is prohibited on both sides of State Route 101 from the center line of the north approach to the Astoria Bridge at Mile Post 0.46, westerly to Mile Post 0.96, a distance of 0.50 mile.

(2) U.S. Wildlife Station Vicinity, Pacific County. Parking of all vehicles is prohibited on both sides of State Route 101 from Mile Post 23.98 to Mile Post 24.16, a distance of 0.18 mile.

(3) Fairmont Street, Port Angeles Vicinity. Parking is prohibited on both sides of State Route 101 from Fairmont Street, Mile Post 245.87, to Euclid Avenue/C Street Exit, Mile Post 245.98, a distance of 0.11 mile.

(4) Port Angeles Vicinity. Parking is prohibited on both sides of State Route 101 from the Junction of Golf Course Road, Mile Post 249.63, to County Road No. 429 (Masters Road), Mile Post 251.68, a distance of 2.05 miles.

(5) Elwha Street, Port Angeles Vicinity. Parking is prohibited on the eastbound side only of State Route 101 from Elwha Street, Mile Post 251.16, to 0.18 mile east of Elwha Street, Mile Post 251.34, a distance of 0.18 mile.

(6) Community of Quilcene. Parking is prohibited between 8:00 a.m. and 4:00 p.m. on the east side of State Route 101 in the Community of Quilcene, Mile Post 294.69 to Mile Post 294.75, a distance of 0.06 mile.

(7) Community of Brinnon. Emergency Parking Only is permitted along both sides of State Route 101 in the Community of Brinnon from 0.15 mile south of Dosewallips Road, Mile Post 306.22, to 0.13 mile south of Dosewallips State Park entrance, Mile Post 307.08, a distance of 0.86 mile.

(8) Hoodsport. Parallel parking only is permitted on both sides of State Route 101 within the Community of Hoodsport from Mile Post 331.72, to Mile Post 332.34, a distance of 0.62 mile.

**WSR 78-09-032
EMERGENCY RULES
DEPARTMENT OF TRANSPORTATION**
[Order 21—Filed August 16, 1978]

I, W. A. Bulley, Secretary of Transportation, do promulgate and adopt at Room 1-D-9, Highway Administration Building, Olympia, WA, the annexed rules relating to the amendment to WAC 252-32-101, allowing emergency parking only along State Route 101 in the community of Brinnon.

I, W. A. Bulley, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is the current practice of parking on the shoulders of this portion of State Route 101 is endangering the safety of pedestrians as well as obstructing sight distance at highway access point. This parking is causing an immediate problem that must be resolved.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 46.61.570 which directs that the Department of Transportation has

authority to implement the provisions of RCW 46.61.570.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 16, 1978.

By W. A. Bulley
Secretary

AMENDATORY SECTION (Amending Order 7, filed 12/30/77)

WAC 252-32-101 STATE ROUTE 101. (1) *Astoria Bridge Vicinity. Parking is prohibited on both sides of State Route 101 from the center line of the north approach to the Astoria Bridge at Mile Post 0.46, westerly to Mile Post 0.96, a distance of 0.50 mile.*

(2) *U.S. Wildlife Station Vicinity, Pacific County. Parking of all vehicles is prohibited on both sides of State Route 101 from Mile Post 23.98 to Mile Post 24.16, a distance of 0.18 mile.*

(3) *Fairmont Street, Port Angeles Vicinity. Parking is prohibited on both sides of State Route 101 from Fairmont Street, Mile Post 245.87, to Euclid Avenue/C Street Exit, Mile Post 245.98, a distance of 0.11 mile.*

(4) *Port Angeles Vicinity. Parking is prohibited on both sides of State Route 101 from the Junction of Golf Course Road, Mile Post 249.63, to County Road No. 429 (Masters Road), Mile Post 251.68, a distance of 2.05 miles.*

(5) *Elwha Street, Port Angeles Vicinity. Parking is prohibited on the eastbound side only of State Route 101 from Elwha Street, Mile Post 251.16, to 0.18 mile east of Elwha Street, Mile Post 251.34, a distance of 0.18 mile.*

(6) *Community of Quilcene. Parking is prohibited between 8:00 a.m. and 4:00 p.m. on the east side of State Route 101 in the Community of Quilcene, Mile Post 294.69 to Mile Post 294.75, a distance of 0.06 mile.*

(7) *Community of Brinnon. Emergency Parking Only is permitted along both sides of State Route 101 in the Community of Brinnon from 0.15 mile south of Dosewallips Road, Mile Post 306.22, to 0.13 mile south of Dosewallips State Park entrance, Mile Post 307.08, a distance of 0.86 mile.*

(8) *Hoodsport. Parallel parking only is permitted on both sides of State Route 101 within the Community of Hoodsport from Mile Post 331.72, to Mile Post 332.34, a distance of 0.62 mile.*

WSR 78-09-033
RULES OF COURT
STATE SUPREME COURT
[Order 25700-A-263]

IN THE MATTER OF THE ADOPTION NO. 25700-A-263
OF AMENDMENTS TO RAP 10.4(b) ORDER

The Court having considered amendments to RAP 10.4(b) as proposed by the Court of Appeals and having determined that the unlimited use of appendices is becoming burdensome on the appellate courts, and having further determined that the proposed amendments will aid in the prompt and orderly administration of justice; Now, therefore, it is hereby

ORDERED:

(a) That the amendments as attached hereto are adopted.

(b) That the amendments will be published expeditiously in the Washington Reports and will become effective on Sept. 15, 1978.

DATED at Olympia, Washington, this 14th day of August, 1978.

Charles T. Wright

Hugh J. Rosellini

Robert F. Brachtenbach

Orris L. Hamilton

Charles Horowitz

Charles F. Stafford

James M. Dolliver

Robert F. Utter

Floyd V. Hicks

RAP 10.4(b)

(b) *Length of Brief. A brief of appellant, petitioner, or respondent, and a pro se brief in a criminal case should not exceed 70 pages if double spaced, or 54 pages of 1 1/2 spaced. A reply brief should not exceed 35 pages if doubled spaced, or 27 pages if 1 1/2 spaced. An amicus curiae brief should not exceed 30 pages if double spaced, or 23 pages if 1 1/2 spaced. The title sheet, table of contents, table of authorities, and appendix are not included for the purpose of determining compliance with this rule. For the purpose of determining compliance with this rule appendices are included. The title sheet, table of contents and table of authorities are not included.*

(i) *Waiver of Page Limitations. Waiver of page limitations will be granted only upon a motion made at least 14 days before the brief is due. Such motion must set forth the extraordinary reasons why compliance with the usual provisions of Rule 10.4(b) cannot be met. The motion may be heard ex parte.*

WSR 78-09-034
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 78-58—Filed August 17, 1978]

I, Gordon Sandison, director of state Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to personal use fishing regulations.

I, Gordon Sandison, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity

to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is this order is necessary to protect salmon milling at Chief Joseph Dam.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 17, 1978.

By Gordon Sandison
Director

NEW SECTION

WAC 220-57-16000B COLUMBIA RIVER - CLOSED AREA Notwithstanding the provisions of WAC 200-57-160 effective immediately and until further notice it shall be unlawful to take, fish for or possess salmon for personal use from those waters of the Columbia River below Chief Joseph Dam downstream to a line projected from a point 400 feet downstream from the west end of the tail race deck perpendicular to the thread of the stream to where it intersects with the opposite bank.

**WSR 78-09-035
EMERGENCY RULES
DEPARTMENT OF FISHERIES**
[Order 78-59—Filed August 17, 1978]

I, Gordon Sandison, director of state Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to personal use fishing regulations.

I, Gordon Sandison, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is Coho jacks and some adults are scheduled for release in these areas. This order is necessary to allow a harvest.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as

appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 17, 1978.
By Gordon Sandison
Director

NEW SECTION

WAC 220-57-17500C COWLITZ AND TILTON RIVER Notwithstanding the provisions of WAC 220-57-175, it shall be lawful to take, fish for and possess salmon for personal use by angling in that portion of the Cowlitz River from the confluence of the Muddy Fork and Ohanapecosh Rivers downstream to Davisson (Riffe) Lake from May 27 to December 31, 1978, and from the Tilton River from May 27 to November 30, 1978. BAG LIMIT: A.

REPEALER

The following section of the Washington Administrative Code is hereby repealed:

WAC 220-57-17500B COWLITZ AND TILTON RIVER (78-28)

**WSR 78-09-036
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
[Filed August 17, 1978]**

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Social and Health Services intends to adopt, amend, or repeal rules relating to method of rate determination, amending WAC 388-96-719.

It is the intention of the secretary to file these rules on an emergency basis prior to the hearing. The reason for the emergency is:

Food prices in the state of Washington have outpaced national averages and an immediate adjustment is needed.

Correspondence concerning this notice and proposed rules attached should be addressed to:

David Hogan
Executive Assistant
Department of Social and Health Services
Mail Stop OB-44 C
Olympia, WA 98504;

that such agency will at 10:00 a.m., Wednesday, October 11, 1978, in the Auditorium, State Office Bldg #2, 12th and Jefferson, Olympia, WA conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Wednesday, October 18, 1978, in William B. Pope's office, 3-D-14, State Office Bldg #2, 12th and Jefferson, Olympia.

The authority under which these rules are proposed is RCW 74.09.120.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to October 11, 1978, and/or orally at 10:00 a.m., Wednesday, October 11, 1978, Auditorium, State Office Bldg #2, 12th and Jefferson, Olympia.

Dated: August 16, 1978
By: David Hogan
Executive Assistant

AMENDATORY SECTION (Amending Order 1300, filed 6/2/78)

WAC 388-96-719 METHOD OF RATE DETERMINATION.
(1) Data used in determining rates will be taken from the most recent complete, desk-reviewed annual cost report submitted by each contractor. If no annual report is available, the most recent desk-reviewed semiannual report will be used.

(2) Data containing obvious errors, data for facilities which are out of compliance with any standard or condition at any time during the reporting period, and data for facilities with average occupancy ratios of less than eighty-five percent for the report period, will be excluded from the determination of predicted costs and rate ranges under subsections (4) and (6) of this section.

(3) Each contractor's reported cost data will be adjusted for economic trends based on component indices of the consumer price index issued by the United States department of labor, bureau of labor statistics. The national averages for the most recent twelve-month period will be applied in rate computations for the ((four)) cost areas ((as follows:)) in subdivisions (a), (b) and (c):

- (a) Patient care—"health and recreation" index;
- ((b)) Food—"food at home" index;))
- ((c))) (b) Administration and operations—Average of the "all items less food" and "services less care services" indices;
- ((d))) (c) Property—"Shelter" index;((:-))and
- (d) Beginning July 1, 1978, for the food cost area, the Seattle consumer price index for food at home over the most recent twelve month period will be used.

(4) A predicted cost per patient day (excluding cost data and patient days relating to exceptional care recipients) in each of the four cost areas will be determined for each facility through multiple regression analysis, which allows the assessment of the joint impact of a set of factors on cost. The formula for the linear multiple regression function is:

$$Y_c = A + B_1X_1 + B_2X_2 + \dots + B_kX_k$$

where:
Y_c is the predicted cost per patient day for an individual facility;
A is the base cost for a hypothetical facility where the factors all are zero;

B₁, B₂ . . . B_k are the regression coefficients for the factors; and
X₁, X₂ . . . X_k are the independent variables or factors measuring the relevant characteristics of a facility.

A and B₁, B₂ . . . B_k are determined statistically by the method of least squares. In order to be included in a regression formula, factors must show statistical predictability by being significant at the twenty percent level.

(5) After all predicted costs per patient day have been computed, the difference between each facility's reported costs, adjusted to take into account economic trends, and the predicted cost will be computed. The standard deviation of the difference will also be calculated.

(6) To determine an individual contractor's prospective rate, its predicted cost is revised beginning July 1, 1978, using ((the most current)) factor values that have been determined within the last 12 month period for the individual facility and the base cost and weights derived in the regression analysis described above. A rate range, defined as this predicted cost plus and minus one standard deviation of the difference calculated, in accordance with subsection (5) of this section, will then be determined. If the contractor's reported costs (adjusted for economic trends) are lower than the lower limit of the rate range, the lower limit will be the contractor's reimbursement rate. If these adjusted reported costs are higher than the upper limit of the rate range, the upper limit will be the contractor's reimbursement rate. If these adjusted reported costs fall within the standard rate range, the contractor's reimbursement rate will equal the adjusted reported costs.

(7) Where new standards are imposed, or the department wishes to encourage additional services or otherwise change the program, an adjustment will be made to the overall reimbursement rate of each contractor affected by the program change.

Reviser's Note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

WSR 78-09-037
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
[Order 1326—Filed August 17, 1978]

I, David Hogan, Exec. Assist. of the Department of Social and Health Services do promulgate and adopt at Olympia, Washington, the annexed rules relating to food stamps, amending chapter 388-54 WAC.

I, David Hogan, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is these rules are necessary in order to comply with a court decision.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 74.04.510 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 17, 1978.

By David Hogan
Executive Assistant

AMENDATORY SECTION (Amending Order 660, filed 2/23/72)

WAC 388-54-500 FARM EMPLOYMENT INCOME. (1) A farm worker shall be classified ((in one of three broad categories)) as follows:

(a) Regularly employed farm workers receiving a regular monthly salary, and those households which receive income during the work season and deferred or advance payments against future earning during the nonwork season.

(i) Such household may be certified for a period not to exceed 12 months.

(ii) The determination of eligibility shall be based on the total annual income averaged over the twelve-month period and the basis of coupon issuance should be determined in accordance with the way income is received.

(b) Households whose income during the farm season is derived from farm employment, but who are not regularly employed at such work or who do not receive deferred or advance payments during the nonwork season.

(i) If the income for the household during the farm season can be reasonably predicted, the certification period can be established so as not to exceed six months.

However, based on the predictability of income during the nonwork period, the certification period should be adjusted to reflect the income status.

((c) Households who engage in farm employment on an-as-needed or itinerant basis:

(i) Eligibility and basis of coupon issuance shall be based on anticipated income.

(ii) Period of certification shall be based on the predictability of income.))

AMENDATORY SECTION (Amending Order 1303, filed 6/2/78)

WAC 388-54-505 NONASSISTANCE HOUSEHOLD—VERIFICATION OF ELIGIBILITY. (1) On an initial certification, gross income from all sources and mandatory deductions from income shall be verified by third person or documentary confirmation of the facts stated by the applicant. Income excluded per WAC 388-54-480 shall be verified only when there is reason to question the information given.

(2) If the application for recertification of continuing eligibility is consistent with eligibility and consistent with the previous application, verification of income is not required unless the source of income has changed or the amount of income reported has changed by more than \$25.

(3) Other eligibility factors shall be verified when the statements of the household in the application are unclear, incomplete, or inconsistent in any manner that would require an ordinarily prudent worker to question any factor affecting eligibility or basis of coupon issuance. Such questionable factors must be verified through the point where a firm determination can be made that the applicant is or is not eligible at some level of issuance.

(4) Except as specified in WAC 388-54-507, when ((When)) a household reports an income so low as to put it at a zero purchase level, factors affecting eligibility and basis of issuance shall be verified through the point where a firm determination can be made that the household is or is not eligible.

((5) Preliminary certification for 30 days without verification of eligibility factors may be made if it appears that the household will be eligible for participation. Necessary verification and adjustment in the household's basis of issuance shall be made before the second month's issuance of coupons is given.

((6))) (5) When a household contains a student tax dependent, the food stamp eligibility of the taxpayer household must be verified. (See WAC 388-54-442.)

(a) Student tax dependency status shall be verified when questionable.

(b) If the tax dependent or the taxpayer fails to respond to a verification request, eligibility cannot be determined and he shall not be considered as a member of the household in which he resides.

NEW SECTION

WAC 388-54-507 PRELIMINARY CERTIFICATION. Effective 8-15-78, when a household reports

an income so low as to put it at a zero-purchase level, the following will apply:

(a) The CSO will determine, from the application, the interview and any additional materials the client presents whether or not eligibility appears to exist. This determination shall be based on careful examination of the information to assure that it is clear, complete and consistent.

(b) If it appears that such eligibility does exist, the CSO will make preliminary certification for a 30 day period, during which verification of eligibility factors shall be made prior to again certifying the household.

NEW SECTION

WAC 388-54-509 SPECIAL CERTIFICATION FOR MIGRANT FARM LABORERS. (1) Seasonal migrant farm laborers are individuals who move from one region or locale to another to engage in or seek farm, land or crop cultivation activities which are seasonal.

(2) Effective 8-15-78, otherwise eligible households consisting of seasonal farm laborers which arrive in project areas for seasonal work with no income shall receive a special certification at the zero-purchase level regardless of the amount of income anticipated to be received within the certification period.

(a) Such households which anticipate the receipt of income within 15 days of the date of application shall be certified at the zero-purchase level for half a month.

(b) Such households which anticipate receipt of income at a date exceeding 15 days from the date of application shall be certified at the zero-purchase level for a full month.

(3) At the end of this special certification period, eligible households shall be certified based on the amount of income received or anticipated to be received during the ensuing certification period. Nothing in this paragraph shall prohibit an eligible household from being certified for continuing certification if it so desires.


WSR 78-09-038
ADOPTED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
[Order 1324—Filed August 17, 1978]

I, David Hogan, Exec. Assist. of the Department of Social and Health Services do promulgate and adopt at Olympia, Washington, the annexed rules relating to disregard of income and resources, amending WAC 388-28-575.

This action is taken pursuant to Notice No. WSR 78-07-025 filed with the code reviser on 6/16/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the secretary of Department of Social and Health Services as authorized in RCW 74.08.090.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 16, 1978.

By David Hogan
Executive Assistant

AMENDATORY SECTION (Amending Order 1287, filed 4/13/78)

WAC 388-28-575 DISREGARD OF INCOME AND RESOURCES. (1) In determining need and the amount of the assistance payment in AFDC, the following shall be disregarded as income and resources:

(a) Any grant or loan to any undergraduate student for educational purposes made or insured under any programs administered by the commissioner of education, U.S. department of health, education, and welfare. The entire amount of such loan or grant is disregarded, irrespective of the use to which the funds are put.

(b) Any per capita judgment funds paid under Public Law 92-254 to members of the Blackfeet Tribe of the Blackfeet Indian Reservation, Montana, and the Gros Ventre Tribe of the Fort Belknap Reservation, Montana.

(c) Any Indian claim settlement funds distributed per capita or held in trust as authorized in Section 7 of Public Law 93-134 or Section 6 of Public Law 94-114.

(d) The income and resources of an individual receiving benefits under supplemental security income for the period for which such benefits are received.

(e) Any payments received by Alaska natives under the Alaska Native Claims Settlement Act, to the extent such payments are exempt from taxation under Section 21(a) of that Act.

(f) From August 1, 1975 to September 30, 1976, forty percent of the first fifty dollars collected by the office of support enforcement in payment on the support obligations for the current month.

(g) Earnings received by any person under Title III, Part C Youth Employment Demonstration Program of the Comprehensive Employment and Training Act of 1973, Public Law 93-203.

(h) Retroactive AFDC benefits resulting from a court order modifying a department policy. This subdivision is effective April 1, 1978.

(2) In determining need and the amount of the assistance payment in AFDC and GA, the following shall be disregarded as income and resources:

(a) Any payment received under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970.

(b) The value of the coupon allotment under the Food Stamp Act of 1964, as amended, in excess of the amount paid for the coupons.

(c) The value of the U.S. Department of Agriculture donated foods (surplus commodities).

(d) Any benefits received under Title VII, Nutrition Program for the Elderly, of the Older Americans Act of 1965, as amended.

(e) Any compensation provided to volunteers in ACTION programs established by Titles II and III of Public Law 93-113, the Domestic Volunteer Service Act of 1973. This policy is effective retroactively to October 1, 1973.

(f) Any compensation provided volunteers in ACTION programs established by Title I of Public Law 93-113, the Domestic Volunteer Service Act.

(g) Any benefits received under the women, infants and children program (WIC) of the Child Nutrition Act of 1966, as amended.

WSR 78-09-039

EMERGENCY RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Public Assistance)

[Order 1325—Filed August 17, 1978]

I, David Hogan, Exec. Assist. of the Department of Social and Health Services do promulgate and adopt at Olympia, Washington, the annexed rules relating to method of rate determination, amending WAC 388-96-719.

I, David Hogan, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is food prices in the state of Washington have outpaced national averages and an immediate adjustment is needed.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 74.09.120 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 16, 1978.

By David Hogan
Executive Assistant

AMENDATORY SECTION (Amending Order 1300, filed 6/2/78)

WAC 388-96-719 METHOD OF RATE DETERMINATION. (1) Data used in determining rates will be taken from the most recent complete, desk-reviewed annual cost report submitted by each contractor. If no annual report is available, the most recent desk-reviewed semiannual report will be used.

(2) Data containing obvious errors, data for facilities which are out of compliance with any standard or condition at any time during the reporting period, and data for facilities with average occupancy ratios of less than

eighty-five percent for the report period, will be excluded from the determination of predicted costs and rate ranges under subsections (4) and (6) of this section.

(3) Each contractor's reported cost data will be adjusted for economic trends based on component indices of the consumer price index issued by the United States department of labor, bureau of labor statistics. The national averages for the most recent twelve-month period will be applied in rate computations for the ((four)) cost areas ((as follows)) in subdivisions (a), (b) and (c):

(a) Patient care—"health and recreation" index;

((b)) Food—"food at home" index;)

((c))) (b) Administration and operations—Average of the "all items less food" and "services less care services" indices;

((d))) (c) Property—"Shelter" index;((:))and

(d) Beginning July 1, 1978, for the food cost area, the Seattle consumer price index for food at home over the most recent twelve month period will be used.

(4) A predicted cost per patient day (excluding cost data and patient days relating to exceptional care recipients) in each of the four cost areas will be determined for each facility through multiple regression analysis, which allows the assessment of the joint impact of a set of factors on cost. The formula for the linear multiple regression function is:

$$Y_c = A + B_1X_1 + B_2X_2 + \dots + B_kX_k$$

where:

Y_c is the predicted cost per patient day for an individual facility;

A is the base cost for a hypothetical facility where the factors all are zero;

$B_1, B_2 \dots B_k$ are the regression coefficients for the factors; and

$X_1, X_2 \dots X_k$ are the independent variables or factors measuring the relevant characteristics of a facility.

A and $B_1, B_2 \dots B_k$ are determined statistically by the method of least squares. In order to be included in a regression formula, factors must show statistical predictability by being significant at the twenty percent level.

(5) After all predicted costs per patient day have been computed, the difference between each facility's reported costs, adjusted to take into account economic trends, and the predicted cost will be computed. The standard deviation of the difference will also be calculated.

(6) To determine an individual contractor's prospective rate, its predicted cost is revised beginning July 1, 1978, using ((the most current)) factor values that have been determined within the last 12 month period for the individual facility and the base cost and weights derived in the regression analysis described above. A rate range, defined as this predicted cost plus and minus one standard deviation of the difference calculated, in accordance with subsection (5) of this section, will then be determined. If the contractor's reported costs (adjusted for economic trends) are lower than the lower limit of the rate range, the lower limit will be the contractor's reimbursement rate. If these adjusted reported costs are higher than the upper limit of the rate range, the upper limit will be the contractor's reimbursement rate. If these adjusted reported costs fall within the standard

rate range, the contractor's reimbursement rate will equal the adjusted reported costs.

(7) Where new standards are imposed, or the department wishes to encourage additional services or otherwise change the program, an adjustment will be made to the overall reimbursement rate of each contractor affected by the program change.

Reviser's Note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

WSR 78-09-040

PROPOSED RULES

DEPARTMENT OF FISHERIES

[Filed August 18, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and 75.08.080, that the Washington State Department of Fisheries, intends to adopt, amend, or repeal rules concerning charter boat fishing regulations and sale of surplus salmon eggs;

and that the adoption, amendment, or repeal of such rules will take place at 10:30 a.m., Friday, August 25, 1978, in the Small Conference Room, General Administration Bldg., Olympia.

The authority under which these rules are proposed is RCW 75.08.080.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to August 25, 1978.

This notice is connected to and continues the matter noticed in Notice Nos. WSR 78-07-088 and 78-07-090 filed with the code reviser's office on 7/5/78.

Dated: August 18, 1978

By: Gordon Sandison

Director

WSR 78-09-041

ADOPTED RULES

DEPARTMENT OF FISHERIES

[Order 78-61—Filed August 18, 1978]

I, Gordon Sandison, director of state Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

This action is taken pursuant to Notice No. WSR 78-07-089 filed with the code reviser on 7/5/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as

appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 18, 1978.

By Gordon Sandison
Director

AMENDATORY SECTION (Amending Order 77-71, filed 8/18/77)

WAC 220-40-021 WILLAPA HARBOR—GILL NET—SEASONS. It shall be unlawful to take, fish for or possess salmon for commercial purposes with gill net gear in the following Willapa Harbor Fishing Areas, except during the seasons provided for hereinafter in each respective fishing area:

Area 2G, 6:00 p.m. August 21 to 12:00 midnight November 30, ((1977)) 1978.

Area 2H—6:00 p.m. September ((11)) 16 to 6:00 p.m. October ((9)) 8, and 6:00 p.m. November ((2)) 1 to 12:00 midnight November 30, ((1977)) 1978.

Areas 2J and 2K—6:00 p.m. August 21 to 12:00 midnight November 30, ((1977)) 1978.

AMENDATORY SECTION (Amending Order 77-71, filed 8/18/77)

WAC 220-40-022 WILLAPA HARBOR—WEEKLY PERIODS. It shall be unlawful to take, fish for or possess salmon taken with gill net gear, except during the weekly open periods hereafter designated in the following Willapa Harbor Fishing Areas:

Area 2G

August 21 to September ((11, 1977)) 16, 1978—6:00 p.m. ((Sunday)) Monday to 6:00 p.m. ((Monday)) Tuesday, and 6:00 p.m. ((Wednesday)) Thursday to 6:00 p.m. ((Thursday)) Friday.

September ((11)) 16 to October ((9, 1977)) 8, 1978—6:00 p.m. Sunday to 6:00 p.m. Thursday.

October ((9)) 8 to November ((2, 1977)) 1, 1978—6:00 p.m. Sunday to 6:00 p.m. Monday.

November ((2)) 1 to 12:00 midnight November 30, ((1977)) 1978—Open continuously.

Area 2H

September ((11)) 16 to October ((9, 1977)) 8, 1978—6:00 p.m. Sunday to 6:00 p.m. Thursday.

November ((2)) 1 to 12:00 midnight November 30, ((1977)) 1978—Open continuously.

Areas 2J and 2K

August 21 to ((October 9, 1977)) September 16, 1978—6:00 p.m. ((Sunday)) Monday to 6:00 p.m. ((Monday)) Tuesday, and 6:00 p.m. ((Wednesday)) Thursday to 6:00 p.m. ((Thursday)) Friday.

September 16 to October 8, 1978—6:00 p.m. Sunday to 6:00 p.m. Thursday.

October ((9)) 8 to November ((2, 1977)) 1, 1978—6:00 p.m. Sunday to 6:00 p.m. Monday.

November ((2)) 1 to 12:00 midnight November 30, ((1977)) 1978—Open continuously.

AMENDATORY SECTION (Amending Order 77-71, filed 8/18/77)

WAC 220-40-024 WILLAPA HARBOR—MESH SIZES—GEAR. (1) It shall be unlawful to take, fish for or possess salmon with gill net gear containing mesh smaller than the minimum or larger than the maximum size stretch measure as hereinafter designated in the following Willapa Harbor Fishing Areas:

Areas 2G and 2H

For the period September ((11)) 16 to October ((9, 1977)) 8, 1978: 5-inch minimum to 7-inch maximum mesh.

For the period 12:01 a.m. November ((20)) 19 to November 30, ((1977)) 1978: 7-1/2-inch minimum mesh.

Areas 2J and 2K

For the period 12:01 a.m. November ((20)) 19 to November 30, ((1977)) 1978: 7-1/2-inch minimum mesh.

(2) Except as provided in subsection (1) of this section, it shall be unlawful to fish in Willapa Harbor with gill net gear containing meshes less than 5 inches stretch measure or longer than 1,500 feet in length.

WSR 78-09-042

EMERGENCY RULES

DEPARTMENT OF FISHERIES

[Order 78-60—Filed August 18, 1978]

I, Gordon Sandison, director of Washington state Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, Gordon Sandison, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is regulations were adopted at a hearing August 14, 1978 to allow a harvest in Willapa Bay. This order is necessary for immediate implementation of these regulations.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure

Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 18, 1978.
By Gordon Sandison
Director

NEW SECTION

WAC 220-40-02100G WILLAPA HARBOR—GILL NET SEASONS. Notwithstanding the provisions of WAC 220-40-021, it shall be unlawful to take, fish for or possess salmon for commercial purposes with gill net gear in the following Willapa Harbor Fishing Areas, except during the seasons provided for hereinafter in each respective fishing area:

Area 2G: 6:00 p.m. August 21 to 12:00 midnight November 30, 1978
Area 2H: 6:00 p.m. September 16 to 6:00 p.m. October 8, and 6:00 p.m. November 1 to 12:00 midnight November 30, 1978.
Areas 2J and 2K: 6:00 p.m. August 21 to 12:00 midnight November 30, 1978.

NEW SECTION

WAC 220-40-02200C WILLAPA HARBOR—WEEKLY PERIODS. Notwithstanding the provisions of WAC 220-40-022, it shall be unlawful to take, fish for or possess salmon taken with gill net gear, except during the weekly open periods hereinafter designated in the following Willapa Harbor Fishing Areas:

Area 2G:
August 21 to September 16, 1978:
6:00 p.m. Monday to 6:00 p.m. Tuesday and 6:00 p.m.
Thursday to 6:00 p.m. Friday.
September 16 to October 8, 1978:
6:00 p.m. Sunday to 6:00 p.m. Thursday
October 8 to November 1, 1978:
6:00 p.m. Sunday to 6:00 p.m. Monday
November 1 to 12:00 midnight November 30, 1978:
Open continuously.

Area 2H:
September 16 to October 8, 1978:
6:00 p.m. Sunday to 6:00 p.m. Thursday
November 1 to 12:00 midnight November 30, 1978:
Open continuously.

Areas 2J and 2K:
August 21 to September 16, 1978:
6:00 p.m. Monday to 6:00 p.m. Tuesday, and 6:00 p.m.
Thursday to 6:00 p.m. Friday.
September 16 to October 8, 1978: 6:00 p.m. Sunday to 6:00 p.m. Thursday.
October 8 to November 1, 1978: 6:00 p.m. Sunday to 6:00 p.m. Monday.

November 1 to 12:00 midnight November 30, 1978:
Open continuously.

NEW SECTION

WAC 220-40-02400B WILLAPA HARBOR—MESH SIZES—GEAR. (1) Notwithstanding the provisions of WAC 220-40-024, it shall be unlawful to take, fish for or possess salmon with gill net gear containing mesh smaller than the minimum or larger than the maximum size stretch measure as hereinafter designated in the following Willapa Harbor Fishing Areas:

Areas 2G and 2H:
For the period September 16 to October 8, 1978:
5-inch minimum to 7-inch maximum mesh.
For the period 12:01 a.m. November 19 to November 30, 1978: 7-1/2-inch minimum mesh.
Areas 2J and 2K:
For the period 12:01 a.m. November 19 to November 30, 1978: 7-1/2-inch minimum mesh.

(2) Except as provided in subsection (1) of this section, it shall be unlawful to fish in Willapa Harbor with gill net gear containing meshes less than 5 inches stretch measure or longer than 1,500 feet in length.

REPEALER

Effective immediately, the following sections of the Washington Administrative Code are hereby repealed:

WAC 220-40-02100F WILLAPA HARBOR—GILL NET SEASONS (78-38)

WAC 220-40-02200B WILLAPA HARBOR—WEEKLY PERIODS (78-38)

WSR 78-09-043
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
[Filed August 18, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Social and Health Services intends to adopt, amend, or repeal rules relating to immediate warrants issued by CSO, amending WAC 388-33-630.

Correspondence concerning this notice and proposed rules attached should be addressed to:

David Hogan, Executive Assistant
Department of Social and Health Services
Mail Stop OB-32 C
Olympia, Washington 98504;

that such agency will at 10:00 a.m., Wednesday, October 11, 1978, in the Auditorium, State Office Bldg #2, 12th and Jefferson, Olympia, WA conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Wednesday, October 11, 1978, in William B. Pope's office, 3-D-14, State Office Bldg #2, 12th and Jefferson, Olympia, Wa.

The authority under which these rules are proposed is RCW 74.08.090.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to 10/11/78, and/or orally at 10:00 a.m., Wednesday, October 11, 1978, Auditorium, State Office Bldg #2, 12th and Jefferson, Olympia.

Dated: August 18, 1978

By: David Hogan
Executive Assistant

AMENDATORY SECTION (Amending Order 1165, filed 10/27/76)

WAC 388-33-630 ((PUBLIC ASSISTANCE EMERGENCY ASSISTANCE FUND)) IMMEDIATE WARRANTS ISSUED BY ESSO. (1) ((Public assistance emergency fund)) An immediate warrant (instant cash) payment is used to provide assistance:

(a) For supplemental assistance needed from the date a recipient leaves an institution to receipt of a regular, adjusting or reinstated grant. The amount of the payment shall be deducted from the regular, adjusting or reinstated grant;

(b) For an applicant when eligibility factors indicate that he is eligible for continuing assistance for a limited period of time((, not to exceed approximately 30 days,)) and total assistance is to be paid by the ESSO. Payment is made according to continuing assistance standards for the exact period of eligibility;

(c) For a recipient ((who is eligible for)) of noncontinuing general assistance;

(d) For a one-time grant when this form of payment is approved by the ((ESSO administrator)) financial supervisor;

(e) For an applicant who is in ((emergent)) immediate need and has no cash resources on hand to meet the need, from the date his continuing assistance grant is authorized to the payment of such grant. This payment is part of the initial or regular grant to the recipient ((and, to avoid duplication of assistance, is reported on the authorization form as a deduction. This payment is limited to emergency food, emergency rent, emergency utilities or emergency clothing for children)).

(2) ((A public assistance emergency assistance fund)) An instant cash warrant is issued in the name of the eligible payee and not to a vendor.

WSR 78-09-044 EMERGENCY RULES DEPARTMENT OF AGRICULTURE [Order 1584—Filed August 18, 1978]

I, Bob J. Mickelson, director of the Washington State Department of Agriculture, do promulgate and adopt at 406 General Administration Bldg., Olympia, WA, the annexed rules relating to Assessments and Collections, increasing the annual assessment on all varieties of hops to sixty cents per affected unit for crop years 1978 and 1979 and thereafter to forty-five cents per affected unit, amending WAC 16-532-040.

I, Bob J. Mickelson, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is an immediate adoption will allow the assessment increase to be collected on the 1978

crop. Proceeds from this increase are to be used to finance mechanical research projects. If adoption is delayed 30 days, the increased assessment cannot be collected on the 1978 crop and the research project would be delayed a full year. Producers have approved this order by a referendum vote.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to chapter 15.65 RCW and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 18, 1978.

By Bob J. Mickelson
Director

AMENDATORY SECTION (Amending Order 1332, filed 1/17/74)

WAC 16-532-040 ASSESSMENTS AND COLLECTIONS. (1) Assessments. (a) The annual assessment on all varieties of hops shall be ((thirty)) sixty cents per affected unit for crop years 1978 and 1979 and thereafter shall be forty-five cents per affected unit.

(b) For the purpose of collecting assessments the board may:

(i) Require handlers to collect producer assessments from producers whose production they handle, and remit the same to the board; or

(ii) Require the person subject to the assessment to give adequate assurance or security for its payment.

(c) Subsequent to the first sale no affected units shall be transported, carried, shipped, sold, marketed, or otherwise handled or disposed of until every due and payable assessment herein provided for has been paid and the receipt issued. The foregoing shall include all affected units shipped or sold, both inside and outside the state.

(2) Collections. Any moneys collected or received by the board pursuant to the provisions of the order during or with respect to any season or year may be refunded on a pro rata basis at the close of such season or year or at the close of such longer period as the board determines to be reasonably adapted to effectuate the declared policies of this act and the purposes of such marketing agreement or order, to all persons from whom such moneys were collected or received or may be carried over into and used with respect to the next succeeding season, year or period whenever the board finds that the same will tend to effectuate such policies and purposes.

(3) Penalties. Any due and payable assessment herein levied in such specified amount as may be determined by the board pursuant to the provisions of the act and the order, shall constitute a personal debt of every person so assessed or who otherwise owes the same, and the same shall be due and payable to the board when payment is

called for by it. In the event any person fails to pay the board the full amount of such assessment or such other sum on or before the date due, the board may, and is hereby authorized to add to such unpaid assessment or sum an amount not exceeding ten percent of the same to defray the cost of enforcing the collecting of the same. In the event of failure of such person or persons to pay any such due and payable assessment or other such sum, the board may bring a civil action against such person or persons in a state court of competent jurisdiction for the collection thereof, together with the above specified ten percent thereon, and such action shall be tried and judgment rendered as in any other cause of action for debt due and payable.



WSR 78-09-045

ADOPTED RULES

CENTRAL WASHINGTON UNIVERSITY

[Order 40—Filed August 18, 1978]

I, Donald Guy, Dean of Student Development of the Central Washington University, do promulgate and adopt at the Office of Student Development, C.W.U. Campus, the annexed rules relating to constitution of the associated students of Central, chapter 106-120 WAC.

This action is taken pursuant to Notice No. WSR 78-06-091 filed with the code reviser on 6/5/78. Such rules shall take effect pursuant to RCW 28B.19.050(2).

This rule is promulgated pursuant to RCW 28B.19.050 and 28B.40.120 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 8, 1978.

By Donald E. Guy
Dean of Student Development

REPEALER

The following sections of the Washington Administrative Code are hereby repealed:

- (1) WAC 106-120-910 CONSTITUTION OF THE ASSOCIATED STUDENTS OF CENTRAL — PREAMBLE.
- (2) WAC 106-120-911 CONSTITUTION OF THE ASSOCIATED STUDENTS OF CENTRAL — NAME.
- (3) WAC 106-120-912 CONSTITUTION OF THE ASSOCIATED STUDENTS OF CENTRAL — MEMBERSHIP.

- (4) WAC 106-120-913 CONSTITUTION OF THE ASSOCIATED STUDENTS OF CENTRAL — ORGANIZATION.
- (5) WAC 106-120-914 CONSTITUTION OF THE ASSOCIATED STUDENTS OF CENTRAL — THE BOARD OF CONTROL.
- (6) WAC 106-120-915 CONSTITUTION OF THE ASSOCIATED STUDENTS OF CENTRAL — EXECUTIVE MANAGER.
- (7) WAC 106-120-916 CONSTITUTION OF THE ASSOCIATED STUDENTS OF CENTRAL — THE JUDICIAL BRANCH.
- (8) WAC 106-120-917 CONSTITUTION OF THE ASSOCIATED STUDENTS OF CENTRAL — ELECTIONS.
- (9) WAC 106-120-918 CONSTITUTION OF THE ASSOCIATED STUDENTS OF CENTRAL — ORGANIZATION.
- (10) WAC 106-120-919 CONSTITUTION OF THE ASSOCIATED STUDENTS OF CENTRAL — INITIATIVE AND REFERENDUMS.
- (11) WAC 106-120-920 CONSTITUTION OF THE ASSOCIATED STUDENTS OF CENTRAL — AMENDMENTS.
- (12) WAC 106-120-921 CONSTITUTION OF THE ASSOCIATED STUDENTS OF CENTRAL — THE ENABLING ACT.
- (13) WAC 106-120-922 CONSTITUTION OF THE ASSOCIATED STUDENTS OF CENTRAL — VERIFICATION.

WSR 78-09-046
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 78-62—Filed August 21, 1978]

I, Gordon Sandison, director of state Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations and personal use fishing regulations.

I, Gordon Sandison, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that

observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is the rivermouth boundaries are redefined for better identification and better separation for different fish stocks.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 21, 1978.

By Gordon Sandison
Director

NEW SECTION

WAC 220-56-01900B RIVERMOUTH DEFINITIONS Notwithstanding the provisions of WAC 220-56-019, the rivermouths of the following rivers shall be defined as follows:

(1) *Cowlitz River: A line projected across the river between two fishing boundary markers, one set on each bank of the river approximately 1/2 mile downstream from the lowermost railroad bridge crossing the Cowlitz River.*

(2) *Lewis River: A straight line running from the fishing boundary marker at Austin Point, south across the Lewis River to the boundary marker on the opposite shore.*

(3) *Wind River: Outermost headlands not covered during normal high water.*

✓
WSR 78-09-047
ADOPTED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
[Order 1327—Filed August 21, 1978]

I, David Hogan, Exec. Assist. of the Department of Social and Health Services do promulgate and adopt at Olympia, Washington, the annexed rules relating to standards for additional requirements under specified circumstances—child care expenses for employed persons, amending WAC 388-29-155.

This action is taken pursuant to Notice No. WSR 78-07-055 filed with the code reviser on 6/28/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the secretary of Department of Social and Health Services as authorized in RCW 74.08.090.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 16, 1978.

By David Hogan
Executive Assistant

AMENDATORY SECTION (Amending Order 1303, filed 6/2/78)

WAC 388-29-155 STANDARDS FOR ADDITIONAL REQUIREMENTS UNDER SPECIFIED CIRCUMSTANCES—CHILD CARE EXPENSES FOR EMPLOYED PERSONS.

- (1) The expense of child care shall be authorized as an additional requirement only when financial services has determined the care is necessary due to employment and there is no one reasonably available to perform such service without cost, except that child care expenses for employed WIN participants shall be authorized as specified in WAC 388-57-057.
- (2) The cost allowed for child care shall be the most reasonable which can be obtained for the type of care required, not to exceed the following standards.
 - (a) Out-of-home day care
 - (i) The part-time payment standard for day care of less than seven hours per day shall not exceed \$((92)) 97 cents per hour for each child.
 - (ii) The full-time payment standard for day care of seven hours or more per day shall not exceed \$((6.42)) 6.79 per day for each child.
 - (A) The full-time payment standard may be adjusted to accommodate unusual work schedules, provided the total amount authorized does not exceed \$((32+10)) 33.95 per week of full-time day care for each child.
- (b) In-home child care
 - (i) The payment standard for in-home care shall not exceed \$((92)) 97 cents per hour for the care of three children or less in the family, or \$((1.19)) 1.26 per hour for care of four or more children in the family.

- (ii) If total payments to an individual providing in-home care are expected to be \$50 or more in any one quarter, the employer's share of the FICA tax must be added to the amount authorized for in-home care.
- (3) No payments shall be allowed for child care provided by the child's parent or stepparent.

WSR 78-09-048
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
[Filed August 21, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Social and Health Services intends to adopt, amend, or repeal rules relating to food stamps, amending chapter 388-54 WAC.

These rules were filed on an emergency basis on August 17. The reason was to comply with a court decision.

Correspondence concerning this notice and proposed rules attached should be addressed to:

David Hogan, Executive Assistant
Department of Social and Health Services
Mail Stop OB-44 C
Olympia, Washington 98504;

that such agency will at 10:00 a.m., Wednesday, October 11, 1978, in the Auditorium, State Office Bldg #2, 12th and Jefferson, Olympia, WA conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Wednesday, October 18, 1978, in William B. Pope's office, 3-D-14, State Office Bldg #2, 12th and Jefferson, Olympia, WA.

The authority under which these rules are proposed is RCW 74.04.510.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to October 11, 1978, and/or orally at 10:00 a.m., Wednesday, October 11, 1978, Auditorium, State Office Bldg #2, 12th and Jefferson, Olympia, WA.

Dated: August 18, 1978
By: David Hogan
Executive Assistant

AMENDATORY SECTION (Amending Order 660, filed 2/23/72)

WAC 388-54-500 FARM EMPLOYMENT INCOME. (1) A farm worker shall be classified ((in one of three broad categories)) as follows:

(a) Regularly employed farm workers receiving a regular monthly salary, and those households which receive income during the work season and deferred or advance payments against future earning during the nonwork season.

(i) Such household may be certified for a period not to exceed 12 months.

(ii) The determination of eligibility shall be based on the total annual income averaged over the twelve-month period and the basis of

coupon issuance should be determined in accordance with the way income is received.

(b) Households whose income during the farm season is derived from farm employment, but who are not regularly employed at such work or who do not receive deferred or advance payments during the nonwork season.

(i) If the income for the household during the farm season can be reasonably predicted, the certification period can be established so as not to exceed six months. However, based on the predictability of income during the nonwork period, the certification period should be adjusted to reflect the income status.

((c) Households who engage in farm employment on an as-needed or itinerant basis:

(i) Eligibility and basis of coupon issuance shall be based on anticipated income;

(ii) Period of certification shall be based on the predictability of income.))

AMENDATORY SECTION (Amending Order 1303, filed 6/2/78)

WAC 388-54-505 NONASSISTANCE HOUSEHOLD—VERIFICATION OF ELIGIBILITY. (1) On an initial certification, gross income from all sources and mandatory deductions from income shall be verified by third person or documentary confirmation of the facts stated by the applicant. Income excluded per WAC 388-54-480 shall be verified only when there is reason to question the information given.

(2) If the application for recertification of continuing eligibility is consistent with eligibility and consistent with the previous application, verification of income is not required unless the source of income has changed or the amount of income reported has changed by more than \$25.

(3) Other eligibility factors shall be verified when the statements of the household in the application are unclear, incomplete, or inconsistent in any manner that would require an ordinarily prudent worker to question any factor affecting eligibility or basis of coupon issuance. Such questionable factors must be verified through the point where a firm determination can be made that the applicant is or is not eligible at some level of issuance.

(4) Except as specified in WAC 388-54-507, when ((When)) a household reports an income so low as to put it at a zero purchase level, factors affecting eligibility and basis of issuance shall be verified through the point where a firm determination can be made that the household is or is not eligible.

((5) Preliminary certification for 30 days without verification of eligibility factors may be made if it appears that the household will be eligible for participation. Necessary verification and adjustment in the household's basis of issuance shall be made before the second month's issuance of coupons is given.

((6)) (5) When a household contains a student tax dependent, the food stamp eligibility of the taxpayer household must be verified. (See WAC 388-54-442.)

(a) Student tax dependency status shall be verified when questionable.

(b) If the tax dependent or the taxpayer fails to respond to a verification request, eligibility cannot be determined and he shall not be considered as a member of the household in which he resides.

NEW SECTION

WAC 388-54-507 PRELIMINARY CERTIFICATION. Effective 8-15-78, when a household reports an income so low as to put it at a zero-purchase level, the following will apply:

(a) The CSO will determine, from the application, the interview and any additional materials the client presents whether or not eligibility appears to exist. This determination shall be based on careful examination of the information to assure that it is clear, complete and consistent.

(b) If it appears that such eligibility does exist, the CSO will make preliminary certification for a 30 day period, during which verification of eligibility factors shall be made prior to again certifying the household.

NEW SECTION

WAC 388-54-509 SPECIAL CERTIFICATION FOR MIGRANT FARM LABORERS. (1) Seasonal migrant farm laborers

are individuals who move from one region or locale to another to engage in or seek farm, land or crop cultivation activities which are seasonal.

(2) Effective 8-15-78, otherwise eligible households consisting of seasonal farm laborers which arrive in project areas for seasonal work with no income shall receive a special certification at the zero-purchase level regardless of the amount of income anticipated to be received within the certification period.

(a) Such households which anticipate the receipt of income within 15 days of the date of application shall be certified at the zero-purchase level for half a month.

(b) Such households which anticipate receipt of income at a date exceeding 15 days from the date of application shall be certified at the zero-purchase level for a full month.

(3) At the end of this special certification period, eligible households shall be certified based on the amount of income received or anticipated to be received during the ensuing certification period. Nothing in this paragraph shall prohibit an eligible household from being certified for continuing certification if it so desires.

**WSR 78-09-049
PROPOSED RULES
TRANSPORTATION COMMISSION**
[Filed August 21, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Transportation Commission intends to adopt, amend, or repeal rules concerning Type of Escort Cars, amending WAC 252-24-312;

that such agency will in the Highway Administration Building, Room 1D2, Olympia, WA conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 2:00 p.m., Tuesday, October 17, 1978, in the Highway Administration Building, Room 1D2, Olympia, WA.

The authority under which these rules are proposed is RCW 46.44.090.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to October 17, 1978, and/or orally at 2:00 p.m., Tuesday, October 17, 1978, Room 1D2, Highway Administration Building, Olympia, WA.

Dated: August 18, 1978

By: Lue Clarkson
Administrator

AMENDATORY SECTION (Amending Order 285, filed 12/1/76)

WAC 252-24-312 SPECIAL PERMITS FOR MOVEMENT OVER STATE HIGHWAYS OF OVERLEGAL SIZE OR WEIGHT LOADS—TYPE OF ESCORT CARS. Cars must be furnished by the permittee. Escort cars may be a passenger car or a 2-axle truck with a minimum wheelbase of 95 inches and a maximum curb weight not to exceed 10,000 pounds except when used as escort vehicle, an unladen tow vehicle may exceed 10,000 pounds.

Escort cars will be of such design so as to afford the driver clear and unobstructed vision both front and rear.

Escort cars will be in safe operational condition, properly licensed and obey all traffic laws.

Escort car operators shall be experienced in the operation of escort vehicles, and no unnecessary passengers who could distract operator in escort vehicles shall be permitted.

When required, pilot escort cars will travel at a distance of approximately 800-1,500 feet in front of and to the rear of the load except that this distance will be reduced in urban areas, at major intersections, and at structures less than 28 feet curb-to-curb width.

When dictated by hazardous conditions the pilot car driver will act as a flagman for traffic control and will signal by hand or by radio to the towing vehicle driver when he can proceed without conflict with approaching traffic.

The driver of the rear escort car will act as a flagman when hazardous conditions exist and in turning movements will advise the towing vehicle driver as to clearance in turning movements and of accumulations of overtaking traffic so the driver can provide an opportunity to pass.

When required, the rear escort car will travel far enough behind the load to provide adequate warning for overtaking vehicles and safe space for the rear escort car and the trailing unit for passing vehicles. All escort cars shall carry a minimum of three (3) approved emergency fuses and red flags.

Pilot car operators shall be properly licensed to operate the vehicle: PROVIDED, When uniformed off-duty law enforcement officers act as escorts, using official police cars or motorcycles, the preceding car requirements shall not be applicable.

**WSR 78-09-050
PROPOSED RULES
TRANSPORTATION COMMISSION**
[Filed August 21, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Transportation Commission intends to adopt, amend, or repeal rules concerning oversize mobile home transport regulations, amending WAC 252-24-150;

that such agency will in the Highway Administration Building, Room 1D2, Olympia, WA conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 2:00 p.m., Tuesday, October 17, 1978, in the Highway Administration Building, Room 1D2, Olympia, WA.

The authority under which these rules are proposed is RCW 46.44.090.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to October 17, 1978, and/or orally at 2:00 p.m., Tuesday, October 17, 1978, Room 1D2, Highway Administration Building, Olympia, WA.

Dated: August 18, 1978

By: Lue Clarkson
Administrator

AMENDATORY SECTION (Amending Order 318, filed 5/19/77)

WAC 252-24-150 OVERTSIZE MOBILE HOME TRANSPORT REGULATIONS. (1) The purpose of this section of chapter 252-24 WAC is to supplement provisions of WAC 252-24-300 through 252-24-384 to provide additional controls in regulating movement of mobile homes on state highways, subject to the statutory provisions for special permits.

(2) Definitions:

(a) "Mobile Home" means all trailers of the semi trailer type with hitch ball coupler designed as structures for human habitation or which have been subsequently adapted to other uses, which are capable of being towed upon the public streets and highways and are more than forty-five feet in length or more than eight feet in width.

(b) "Modular Homes and Sectional Buildings" means any factory built housing designed for residential occupancy by human beings which does not contain a permanent frame and must be mounted on a permanent foundation. Modular homes or sectional buildings with their own attached running gear which can qualify for tow-away methods are considered to be mobile homes for purposes of this regulation. Modular homes or sectional buildings moved on legally registered trailers are subject to the provisions of chapter 46.44 RCW and

the Washington Administrative Code governing overweight and over-dimension vehicle permits.

(c) Oversize permits may be issued to transporters, dealers or owners who shall assume full responsibility while operating under a permit. Operators of tow vehicles and escort vehicles and others assisting in the transport must function as agents or employees of the permittee.

(d) A "Unit" is a complete or irreducible part of an oversize mobile home, together with its tow vehicle.

(3) Oversize Limits: The following regulations are based upon the authority of the ((Highway Commission)) Department of Transportation to issue special permits as cited in chapter 46.44 RCW and apply to mobile homes of semi-trailer design whose width exceeds eight feet but does not exceed fourteen feet and whose length exceeds forty-five feet but in combination with a tow vehicle does not exceed 85 feet.

(4) Oversize mobile home permits may be issued as follows:

(a) Annual Permits: Issued only to permittees who are qualified as dealers or manufacturers as provided in chapter 46.70 RCW and to transporters licensed as provided in chapter 46.76 RCW. Fees as provided for in RCW 46.44.0941.

Annual permits shall apply only to transport of mobile homes 14 feet or less in height, above level ground, while being transported.

Applicant must present a copy of transporter's license obtained in accord with chapter 46.76 RCW, a dealer's license or manufacturer's license obtained in accord with chapter 46.70 RCW, and register with the Department of ((Highways)) Transportation the license number of the tow vehicle for which the oversize permit will be assigned, and the numbers of the dealer's, manufacturer's, and transporter's plates that may be used in combination with the tow vehicle's license number. Operation under the permit with dealer's, manufacturer's, and transporter's plates under conditions other than those recorded on the permit, shall constitute violation of the permit.

Within ten days of transporting a mobile home on an annual oversize permit, the permittee shall mail a completed Highway Form (560-053) to the ((Director of Highways)) Department of Transportation, giving notice of the origin and destination of the mobile home. Failure to comply with this regulation is a misdemeanor as provided by RCW 46.16.106.

(b) Monthly Permits: Issued to dealers, manufacturers, and transporters under the same conditions as annual permits except 14 feet height limitations may be waived as provided by RCW 46.44.0941. Fees also provided for under RCW 46.44.0941.

(c) Single Trip Permits: Issued to dealers, transporters and owners for a specific combination of tow vehicle and mobile home to travel from a point of origin to a prescribed destination.

A movement permit (\$5.00 fee) is required for all mobile homes without a dealer's or transporter's license plates (in addition to an oversize mobile home permit). For mobile homes being transported within or leaving the state, a movement permit shall not be issued until a Highway Form (560-053) is provided, signed by the county treasurer in which the mobile home has been located assuring that all appropriate taxes and fees have been paid. The Highway Form is not required for movement permits issued at ports of entry for mobile homes in transit throughout the state.

(5) Before an oversize permit is issued, the permittee must carry evidence that he has insurance in effect while operating under the permit, in the minimum amounts of \$100,000-\$300,000 public liability and \$50,000 property damage.

(6) While operating under an oversize permit, accidents involving other vehicles or structures which results in damages of one hundred dollars (\$100.00) or more, or any incident which results in damage only to the mobile home in excess of two hundred fifty dollars (\$250.00), shall be reported by the permittee immediately to the nearest State Patrol Office. The report shall include a statement of location of accident, the cause, and a brief account of circumstances and effects relating to the accident. Without approval by the State Patrol, further movement of the mobile home is prohibited under the permit (except to take the minimum action to remove or reduce a hazard to highway traffic).

(7) Dealers selling over 12-foot to 14-foot wide mobile homes will advise the prospective purchaser, by written notice, that the movement of such mobile homes over state highways will be at the discretion of the ((Director of Highways)) Department of Transportation, and that an oversize permit cannot be granted for movement over any section of state highway which is not designated as a route for over 12-foot to 14-foot wide mobile homes.

(8) Mobile and modular homes in transit under the authority of permits issued in accordance with WASHTO Uniform Mobile and

Modular Home Transportation Regulations, will be subject to such regulations and any conflicts between WASHTO regulations, as applied to an individual permit, issued by another WASHTO State and ((a [any])) any regulations contained herein, will be resolved in favor of WASHTO regulations. On transporter's, dealer's or owner's request, permits may be issued in accordance with WASHTO Uniform Mobile and Modular Home Transportation Regulations when travel out-of-state is also involved.

(9) Mobile Homes:

(a) Overall dimensions shall not exceed those presented in the permit except for minor protrusions not to exceed 2 inches, such as door and window hardware. Eaves will be included in the measurement of maximum width. All dimensions shall be reduced to the practical minimum. Mobile homes having a single eave overhang along their length will be transported ((with the eave next to the right or shoulder side of the highway)) to allow for safe passing distances.

(b) The entire system (frame, drawbar and coupling mechanism, running gear assembly, and lights) shall be in accord with Federal H.U.D. rules and regulations title 24, chapter 11, ((subject [subpart])) subpart J part 280 effective June 15, 1976 ((f))(24 CFR 280((f))) and as thereafter amended. In addition thereto, all tires used in transportation of mobile homes under this category shall be in accord with Federal Motor Carrier Safety regulations title 49, chapter 111, subchapter B, part 393 effective October 1, 1975, and as thereafter amended. Mobile homes not certified as qualifying to the minimum H.U.D. specifications herein, shall have brakes on a minimum of two axles and on four wheels. Units that are 60 feet or more in length shall have at least three full axles, provided, 12-foot wide mobile homes manufactured prior to November 1, 1970, may be moved with a minimum of two axles. The brakes shall be under the control of the driver from the cab of the towing vehicle, shall be adequate to control the mobile home and its load, and so designed and connected that they shall automatically apply in case of accidental breakaway from the towing vehicle. A wet-cell or approved battery with a full charged rating of 12 volts will be installed in the mobile home to actuate electric brakes in the event of a breakaway. Minimum track width between two wheels on an axle shall be not less than eight feet. Track width shall be measured from the outer edges of the road bearing tread of tires on a single axle. Tires shall have no signs of separation or excessive aging, be inflated to maximum recommended tire pressure and have tread depth no less than 3/32nd inch in any part of tire contacting the road. Recapped or retreaded tires are not allowed. Minimum combined load rating of mobile home tires must be in excess of their in-transit load. Axles and wheels must be properly aligned to minimize wear and overheating of tires.

(c) The open sides of half sections of mobile homes shall be covered with rigid material such as plywood, hardboard, or similar material, in lieu of rigid material, suitable plastic polyethylene or other material with a minimum .5 mil thickness may be used provided a rigid grill-work of squares, not exceeding four feet on a side, prevents billowing of the flexible material.

(d) Rear mounted turn and stop signal lights shall be in accord with Federal Motor Vehicle Safety Standard No. 108 effective January 1, 1972, and as thereafter amended.

(e) If mobile home is to transport furnishings or other loose objects, they shall be ((secured)) placed in positions to achieve proper weight and balance.

(f) Be in accord with Federal H.U.D. Mobile Home Construction and Safety Standards title 24, chapter 11, part 280, effective June 15, 1976, and as thereafter amended.

(10) Tow Vehicles:

(a) Tow vehicles shall comply with the following minimum requirements:

Mobile Home Width to be Towed	Tire Width	Drive Axle Tire Rating	GCW	(1) Weight	Rear Axle Rating
Over 8' to 10'	7.00"	6 ply	(2)	6,000#	(2)
Over 10' to 12'	8.00"	8 ply	35,000(3)	8,000#	15,000#
Over 12' to 14'	8.25"	10 ply	35,000#	9,000#	15,000#

(1) Includes fuel and accessories prior to hook-up with mobile home.

(2) Not required.

(3) May be waived for older vehicles.

(b) Conventional or cab-forward configuration shall have a minimum wheelbase of 120 inches. Cab-over engine tow vehicles shall have

a minimum wheelbase of 89 inches. Two vehicles shall have a minimum 4-speed transmission. Power shall be sufficient to meet the requirements listed.

(c) Electrical brake controls, wiring and connections to mobile home brake systems will be capable of producing rated voltage and amperage at the mobile home brake magnets in accordance with the mobile home brake manufacturer's specifications.

(11) Signs and Flags: Provisions of WAC 252-24-315 and 252-24-327 will apply and in addition thereto, sign length will be attached horizontally on rear of trailer home with bottom edge not less than 6' nor more than 7' above road surface. Sign material shall be impervious to moisture, clean and mounted with adequate supporting anchorage to provide legibility at all times.

(12) In addition to provisions of WAC 252-24-324, 6-inch diameter flashing amber lights with minimum of 35 candle power shall be mounted on the upper outer edges of the rear of the trailing unit. They shall be operated with a flashing cycle of 60-120 times per minute during transit.

(13) Travel Speeds for Mobile Homes:

(a) The maximum speed on sections of highway posted for 55 miles per hour will be 45 miles per hour and the minimum speed will be 35 miles per hour, except where traffic or roadway conditions require a lower speed.

(b) The maximum speed on sections of highway posted for 50 miles per hour will be 40 miles per hour and the minimum speed will be 35 miles per hour, except when traffic or roadway conditions require a lower speed.

(14) In addition to the provisions of WAC 252-24-354, movement of mobile homes will be made with maximum consideration for safety and with the least possible inconvenience for the traveling public. Units traveling in rural areas shall maintain adequate spacing of at least one-half mile between any two mobile home units. All units shall maintain a minimum distance of from 400 to 500 feet behind any truck, truck-tractor or trailer which could impair the visibility of overtaking vehicle.

(15) On multiple lane routes, the unit shall be operated in the right outside or number (1) lane, except when passing. On two lane highways, units shall not pass ((over-father)) other vehicles, except when required to safely pass a vehicle operating at speeds less than the minimum specified in these regulations.

WSR 78-09-051

PROPOSED RULES

UNIVERSITY OF WASHINGTON

[Filed August 21, 1978]

Notice is hereby given in accordance with the provisions of RCW 28B.19.030 and 42.30.080, that the University of Washington intends to adopt, amend, or repeal rules concerning Parking and Traffic Regulations—Fees, Fines and Penalties, WAC 478-116-600;

and that the adoption, amendment, or repeal of such rules will take place at 1:00 p.m., Friday, September 8, 1978, in the Regent's Room, Administration Bldg., Univ. of Washington, Seattle.

The authority under which these rules are proposed is RCW 28B.10.560.

This notice is connected to and continues the matter noticed in Notice No. WSR 78-06-121 filed with the code reviser on 6/7/78.

Dated: August 14, 1978
By: Sally G. Tenney
Assistant Attorney General

WSR 78-09-052

ADOPTED RULES

**DEPARTMENT OF
SOCIAL AND HEALTH SERVICES**

(Public Assistance)

[Order 1328—Filed August 22, 1978]

I, David Hogan, Exec. Assist. of the Department of Social and Health Services do promulgate and adopt at Olympia, Washington, the annexed rules relating to:

Amd: ch. 388-95 WAC relating to persons in mental institutions.

This action is taken pursuant to Notice No. WSR 78-06-036 filed with the code reviser on 5/19/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the secretary of Department of Social and Health Services as authorized in RCW 74.08.090.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED July 19, 1978.

By David Hogan
Executive Assistant

AMENDATORY SECTION (Amending Order 1233, filed 8/31/77)

WAC 388-95-005 DEFINITIONS. (1) "Admission notification" — The ((MHSR)) facility provides the ((hospital and local office)) ESSO with written notification that an eligible patient has been admitted.

(2) "Alternate care" — Care outside the psychiatric hospital, such as care in own or relative's home with necessary home services, foster family home, nursing home, or other social care facility.

(3) "Benefit" — Amount received from supplemental security income, administered by social security administration.

(4) "Case record" — The case records used in administering the program including:

(a) ((Local office)) ESSO case record;

(b) Hospital medical record,

((c) Mental health services representative's case record at the hospital.))

(5) "Chief of social services" — Supervisor of a department of social services of the hospital.

(6) "Clinical staff" — Staff located at the hospital, including representation from medical, psychiatric and social services staff ((and the DSHS MHSR)).

(7) "Clinical staff review" — Review by clinical staff for the purpose of evaluating the progress of the patient/recipient and developing treatment and/or release plans.

(a) "Initial review" — an interdisciplinary staff review;

(i) For persons 65 or over, made within 30 days of admission to the hospital or after attaining age 65, or within 30 days of referral for application for Title XIX medical assistance.

(ii) For persons under 21, made within fourteen days after admission to hospital.

(b) "Periodic review" - Made every thirty days or more often following initial review of person under 21 years of age.

(c) "Quarterly review" - Made every ninety days or more often following initial review for person 65 or over.

(8) "County of residence" - ((Local office)) ESSO where the case is in active status.

(9) "Facility" - see "hospital".

(10) "((Format)) Written referral" - A formal request for Title XIX coverage made by the hospital in behalf of the patient 65 or over.

(11) "Hospital" - A mental or psychiatric institution or hospital approved for the provision of inpatient psychiatric care to recipients 65 years of age or older and those under 21 years of age.

(12) "Hospital daily population report" - Official hospital report on patient movement which serves as the individual notification of patient admission and discharge.

(13) "Legal dependents" - Spouse and minor children living in the family home for whom the patient is financially responsible.

(14) "Legal status of patient" -

(a) Voluntary admission - Patient admitted voluntarily by self, parents, or guardian.

(b) 72-Hour evaluation and treatment - Patient admitted for evaluation and treatment by court order activated by the mental health professional.

(c) Involuntary admission - Patient committed by court order for a specified treatment period of 14 days, 90 days, or 180 days.

(d) Observation - Patient admitted by court order for a specified period of observation for determination of mental illness.

(15) ((Local office hospital unit)) - Service workers assigned by the local office in the county in which the hospital is located to take applications and interview patient-applicants and recipients regardless of their county of residence.

((16))) ((Local office)) ESSO service workers" - Social service workers in a ((local office)) ESSO assigned service cases of patient/recipients.

((17))) (16) "Medical assistance" - As used in this chapter means essential medical care, including psychiatric services, for chronic, emergent, and acute conditions furnished to needy persons sixty-five years of age or over or under age 21 in a facility.

((18))) (17) "Mental health professional" - A professional person designated by the county's administrative mental health body and charged with the responsibility to investigate and evaluate the presence of mental illness.

((19))) (18) "Mental health services representative" (MHSR) - Employee of the health services division, office of medical assistance, ((stationed in the hospital)) who is responsible ((for working directly with the hospital and local office staff in the development of individual treatment plans for patient/recipients)) to see that requirements of the 65 and over and under 21 programs

are carried out within the regulations established in Title XIX of the Social Security Act.

((20))) (19) "Patient" - Individual who is the responsibility of the hospital only.

((21))) (20) "Patient/recipient" - Individual in the hospital who is the joint responsibility of the divisions of community services, health services, and management and budget services.

((22))) (21) "Psychiatric facility" - A JCAH approved psychiatric hospital treating persons for mental diseases.

((23))) (22) "Psychiatric hospital social worker" - Social worker employed by the hospital.

((24))) (23) "Recipient" - As used in this chapter is:

(a) Any individual age sixty-five years or older who has been determined eligible for service under Title XIX, assistance to aged individuals in institutions for mental diseases, and

(b) An AFDC recipient under 18 years of age or SSI beneficiary under 21 years of age (except that if receiving services prior to 21st birthday may be continued eligible until 22nd birthday).

((25)) "Sixty caseload" - Special caseload for service to recipients age 65 or over who have been released from a facility and for service to such other aged recipients in need of alternate care services in the community.

((26))) (24) ((Social care)) Residential facilities - Group homes providing personal care services.

((27)) "Time-limited visit" - A time-limited leave granted by the hospital to enable a patient/recipient to visit the community, usually his family. Return to the facility is expected by a specified time.

((28))) (25) Types of releases from state mental institutions.

(a) "Discharge" -

(i) The legal procedure which terminates a legal commitment to a mental hospital or a court order for observation.

(ii) The release from treatment of the voluntary patient.

((b)) "Conditional release" - When in the professional opinion of the hospital staff the person can be appropriately served by out-patient care prior to expiration of the period of commitment, the outpatient care can be required as a condition for early release. The period of conditional release, when added to an in-patient treatment period, cannot exceed the period of commitment. The out-patient facility designated to provide out-patient care must agree in writing to assume such responsibility.))

AMENDATORY SECTION (Amending Order 1044, filed 8/14/75)

WAC 388-95-010 ELIGIBILITY FOR AGED PERSON. (1) The department shall provide medical care within the limitations set forth in these rules and regulations to any individual residing in a hospital who has been certified to receive medical assistance under conditions specified in subsection (2).

(2) The individual shall:

(a) Be sixty-five years of age or older;

(b) Be a resident of the state of Washington – no durational requirement;

(c) Be in a hospital after voluntary or involuntary admission;

(d) ((Not have transferred property contrary to law or to WAC 388-26-200 through 388-26-250;

(e))) Be financially eligible according to chapter 388-92 WAC including consideration of individual's;

(i) Needs according to the institutional monthly maintenance standard in WAC 388-92-035;

(ii) Medical care requirements –

(A) Monthly charge for care in the facility,

(B) Deductible for Part A medicare, less any part already paid during the current spell of illness,

(C) Deductible for Part B medicare, less any part already paid during the current calendar year((;)),

(D) Health and accident insurance premium payments, other payments for medical care not provided by the department, and payments being made for medical costs incurred within three months prior to date of application.

(iii) Monthly maintenance requirements of the applicant's legal dependents according to WAC 388-92-030 and 388-92-055(2)(b).

(3) An applicant determined to be eligible shall be informed by means of an award letter of the action taken by the department ((and the amount of participation, if any. The award letter shall be sent to the mental health services representative)).

(4) If the nonexempt resources and income of the applicant, excluding medicare benefits available, will meet the needs listed in subdivision (2)(e), for a period of two months or more following the date of admission, the applicant is ineligible and the application shall be denied. The applicant shall be notified in writing of the denial and reason for the action and informed of the right to a fair hearing. ((The mental health service representative shall be provided with the letter of denial to the patient.))

(5) If the nonexempt resources and income of the applicant, including medicare benefits available, will not meet these needs for a period of two months, then the applicant is financially eligible.

AMENDATORY SECTION (Amending Order 1044, filed 8/14/75)

WAC 388-95-025 NOTIFICATION AND APPLICATION PROCESS. ((1) The facility shall notify the MHSR of the daily admission of any potential patient/recipient sixty-five years of age or older, of aged patients in the facility whose private funds are depleted; or of the attainment of age sixty-five by any patient residing in the facility, in need of medical assistance. If application is made after the sixty-fifth birthday, retroactive certification up to three months would apply, but not for any period prior to the 65th birthday.

(2) The patient's name submitted to the MHSR by the facility constitutes notification, and shall be processed in accordance with WAC 388-92-020. The MHSR shall send the notification to the local office of

the patient's county of residence which shall be responsible for processing the application for medical assistance under this program. Applications for money benefits shall be referred to the nearest social security administration office.

(3) Disposition of the application shall be according to WAC 388-92-020(4).

(4) Decision on an application shall be made on a timely basis as stated in WAC 388-92-020(3)(a)). Medical assistance is available to those patients in the facility who meet eligibility requirements.

(1) Eligibility shall be established for patients who are 65 years of age or over and:

(a) On active recipient status at the time of admission;

(b) Not active at time of admission, but financially eligible;

(c) Financially eligible and attains age 65; or a

(d) Patient whose private funds are depleted.

(2) Notification of a recipient's admission or a patient's need to apply for medical assistance shall be provided to the ESSO in a timely manner.

(3) Application shall be processed according to WAC 388-92-020.

AMENDATORY SECTION (Amending Order 1044, filed 8/14/75)

WAC 388-95-030 CERTIFICATION OF ELIGIBILITY. Eligibility shall be certified according to WAC 388-92-060(((1)(b))). All ((subsequent)) pertinent information from the facility relating to the case shall be transmitted ((by the mental health services representative)) to the ((local office)) ESSO of residence.

AMENDATORY SECTION (Amending Order 1044, filed 8/14/75)

WAC 388-95-055 DEPARTMENT RESPONSIBILITIES FOR PATIENT/RECIPIENT ENTERING PSYCHIATRIC FACILITY. ((1) When a recipient enters a facility, all pertinent medical and social information about the individual in the department record shall be supplied without delay to the MHSR at the facility. "Pertinent medical and social information" means information that will aid joint planning within the department for the best treatment and/or release plans for a patient/recipient. This may include

(a) Medical reports from patient's physician(s);

(b) Recent contacts with the patient/recipient family yielding information which might influence planning for the patient/recipient;

(c) Other information deemed important by the department and requested by MHSR at the facility such as presenting behavior prior to admission to care.

(2) A mental health services representative is stationed at each facility and has liaison responsibility between the facility and the local office.

(3) The local office of residence shall determine the eligibility of the applicant and the patient/recipient referred by the mental health services representative. The local office where the facility is located will determine the eligibility for individuals without other county of

~~residence and will assist the local office of residence upon request.) The department is responsible for ESSO and facility joint planning in the provision of services to patient/recipients entering the facility.~~

(1) The ESSO of residence shall determine eligibility of an applicant referred by the facility.

(2) Information pertinent to the development of a plan of care and treatment shall be provided to the facility by the ESSO.

AMENDATORY SECTION (Amending Order 1044, filed 8/14/75)

WAC 388-95-060 SERVICES TO PATIENT/RECIPIENT IN PSYCHIATRIC FACILITY. ((+)) The social service staff of the facility shall provide social services to the patient/recipient as part of the treatment plan while he is in the facility.

((+)) The patient/recipient shall be entitled to the same scope and content of medical care for nonpsychiatric disorders as other recipients of medical assistance. See WAC 388-86-005 through 388-86-120.

((+)) Joint planning and assessment by the facility staff and MHSR shall begin at time of admission. Planning and reassessment of the care, treatment, and progress of each patient/recipient shall take place at intervals not to exceed three months.)) (1) The patient/recipient shall be entitled to the same scope and content of medical care for nonpsychiatric disorders as other recipients of medical assistance. (See WAC 388-86-005 through 388-86-120.)

((+)) The patient/recipient shall be entitled to psychiatric services as federally required. (See definitions 388-95-005(6) and (7)(a)(i) and (c).)

AMENDATORY SECTION (Amending Order 1044, filed 8/14/75)

WAC 388-95-065 COORDINATION OF SERVICES FOR PATIENT/RECIPIENT. ((+)) The facility has responsibility for providing initial and current medical examinations, psychiatric evaluations and social summary of each patient/recipient within thirty days of his referral to the program.

((+)) The local office has the responsibility to provide the facility with social information and to assist in release planning.)) Patient/recipient shall be provided services based on inter-divisional agreements which designate methods of sharing information pertinent to admission, treatment and discharge planning.

AMENDATORY SECTION (Amending Order 1044, filed 8/14/75)

WAC 388-95-070 DEPARTMENT RESPONSIBILITIES—PATIENT/RECIPIENT SCHEDULED FOR RELEASE. (((+))) A patient/recipient shall be released to alternate care only on the basis of joint planning and agreement between the staffs of the ((various)) appropriate divisions within the department. ((The release plan shall include a recommendation for the kind of alternate care needed by the patient/recipient. The

facility shall furnish the MHSR with information pertinent to the patient/recipient's potential adjustment to alternate care.

((+)) When the decision has been made that the patient/recipient may leave the facility, the MHSR notifies the local office maintaining the case and forwards the facility referral material. The local office shall transfer the case to a service (60) case load and complete plans for the patient/recipient's return to the community.))

AMENDATORY SECTION (Amending Order 1044, filed 8/14/75)

WAC 388-95-075 ((LOCAL OFFICE)) ESSO RESPONSIBILITY FOR SOCIAL SERVICES. (1) The ((local office)) ESSO shall assume primary responsibility for providing social services to the aged recipient released from ((a)) the mental facility. ((The)) Need for financial assistance is not a prerequisite for providing social services.

((+)) Prescribed services shall ((be provided)) include at least:

Casework, counseling, and other services to assist the recipient in ((his)) understanding ((of, and ability to)) and carrying out the facility's recommendations for continued needed care and services ((regardless of whether he is receiving financial assistance. Although the frequency of contact will vary depending upon the care provided, less than one contact per month shall be justified in the case record on the basis of the recipient's need for supportive casework. In seeking a supportive services relationship in behalf of the individual, the service worker shall

((+)) Secure and use appropriately such services and resources available from the alternate care facility or the community as prescribed by the individual case plan;

((+)) Seek to develop and/or maintain the recipient's family and community ties and to encourage his participation;

((+)) Secure needed medical care, including assistance in locating a physician and obtaining drugs. For former hospital patients, see WAC 388-91-016(2) concerning drug and pharmaceutical supplies. The service worker shall inform the recipient's personal physician of this rule.

((+)) All appropriate measures shall be taken to prevent the necessity of hospitalization of a recipient in a facility for mental illness.

((+)) When social services are not being provided or have been discontinued, the case record must contain fully documented reasons, such as client refusal or inability to use social services or no further need for social services)).

AMENDATORY SECTION (Amending Order 1044, filed 8/14/75)

WAC 388-95-210 ELIGIBILITY FOR PERSON UNDER AGE 21. (1) The department shall provide for inpatient psychiatric care within the limitations set forth in these rules and regulations to any individual who is a

patient in a JCAH approved psychiatric ((hospital)) facility program and who has been certified to receive medical assistance (MA) under conditions specified in subsection (2).

(2) The individual shall be:

(a) Under age 21 (except that if receiving services just prior to 21st birthday, eligibility may continue until age 22); and an

(b) AFDC recipient; or

(c) SSI beneficiary.

(3) ((Any patient whose status upon admission involves a legal procedure other than civil commitment is not eligible:)) Civil commitment due to mental illness is an allowable legal procedure because it is medical in nature. Any patient whose status upon admission involves a legal procedure other than civil commitment, including a legally adjudicated "delinquent" placed in the facility or a patient admitted and detained in connection with a violation of the law whether the offense is a misdemeanor, a felony or in the nature of a delinquent act, is not eligible.

AMENDATORY SECTION (Amending Order 1044, filed 8/14/75)

WAC 388-95-225 NOTIFICATION PROCESS.

((1) The hospital shall promptly notify mental health services representative of admission of the patient by means of hospital daily population report or other administrative processes.

(2) MHSR will determine if the patient is an AFDC recipient or SSI beneficiary and obtain written confirmation from the local office of residence.

(3) MHSR will notify the hospital and appropriate DSHS offices in writing when an eligible Title XIX recipient is admitted.) The bureau of mental health and the reimbursement section of the office of staff services will develop and implement by agreement a notification process to assure that confirmation of a patient/recipient's admission is shared with appropriate persons in the facility, ESSO and office of medical assistance.

AMENDATORY SECTION (Amending Order 1044, filed 8/14/75)

WAC 388-95-255 DEPARTMENT RESPONSIBILITY—ADMISSION. (((1) When a recipient enters a hospital, all pertinent medical and social information about the individual in the department record shall be supplied without delay to the MHSR at the hospital. "Pertinent medical and social information" means information that will aid joint planning within the department for the best treatment and/or release plans for a patient/recipient. This may include:

(a) Copies of social assessment from record.

(b) Medical reports from patient's physician(s).

(c) Recent contacts with the patient/recipient family yielding information which might influence planning for the patient/recipient.

(d) Other information deemed important by the department and requested by MHSR at the hospital such as presenting behavior prior to admission to care.

(2) A MHSR is stationed at each hospital and has liaison responsibility between the hospital and the local office.

(3) The local office in the county of residence of the AFDC or SSI recipient shall be responsible for service to the client.) The appropriate ESSO of the AFDC or SSI recipient shall be responsible for determining eligibility on a continuing basis, following the patient/recipient's progress in the facility and collaborating in efforts to maintain and/or develop family relationships as appropriate.

AMENDATORY SECTION (Amending Order 1044, filed 8/14/75)

WAC 388-95-260 SERVICES IN ((HOSPITAL)) FACILITY. ((1) The social service staff of the hospital shall provide social services to the patient/recipient as part of the treatment plan while he is in the hospital.

(2) The patient/recipient shall be entitled to full scope care only for the period of time when he is under active treatment for the condition for which he was hospitalized.

(3) Joint planning and assessment by the hospital staff and MHSR shall begin at time of admission. Planning and reassessment of the care, treatment and progress of each patient/recipient shall take place at intervals not to exceed thirty days.) The patient/recipient shall be entitled to the facility's full scope care only for the period of active treatment for the condition which resulted in hospitalization.

AMENDATORY SECTION (Amending Order 1044, filed 8/14/75)

WAC 388-95-265 COORDINATION OF SERVICES. ((1)) The ((hospital)) facility has responsibility for providing initial and current medical examination(s) reports, psychiatric evaluations, individual treatment plans, ((and)) social ((summary)) summaries and discharge plans of each patient/recipient to the ((MHSR within 14 days of admission)) ESSO.

((2) Copies of reviews will be furnished local office by MHSR.))

AMENDATORY SECTION (Amending Order 1044, filed 8/14/75)

WAC 388-95-270 DEPARTMENT RESPONSIBILITIES—RELEASE. ((1) A patient/recipient shall be released to alternate care only on the basis of joint planning and agreement between the staff of various divisions within the department.

(2) There shall be a discharge planning review to evaluate the patient/recipient's readiness for release.

(3) The release plan shall include a recommendation for the kind of alternate care needed by the patient/recipient, recommendations as relates to the residual problems, and recommendations for follow-up services to assure continuity of care.

(4) When the decision has been made that the patient/recipient may leave the hospital, the MHSR notifies the local office maintaining the case and forwards the referral material.

(5) There shall be a post-hospital review held at the hospital (within 7 days) for those patient/recipients who leave against medical advice. Necessary referral material will be furnished to the MHSR.: (1) To assure appropriate release, the facility shall provide notification and referral material to the ESSO.

(2) A patient/recipient, to be released to alternate care, shall be provided such release based on joint planning agreement of the facility and ESSO.

AMENDATORY SECTION (Amending Order 1044, filed 8/14/75)

WAC 388-95-275 SUPPORTIVE SOCIAL SERVICE BY ((LOCAL OFFICE)) ESSO. (1) The ((local office)) ESSO shall assume primary responsibility for providing social services to the under 21 recipient after discharge from the ((hospital)) facility. The need for financial assistance is not a prerequisite for providing social services. The ((local office)) ESSO has the responsibility to provide direct services when feasible or be responsible for procuring and coordinating the use of other community services such as: Mental health centers, juvenile court, group homes, education and training, family planning clinics, etc.

(2) Continuity of care is essential although the frequency of contact will vary depending upon the care provided and the needs of the individual.

(3) In providing supportive services, the service worker shall:

(a) Include casework, counseling and other services to assist the individual in understanding of, and ability to carry out the ((hospital's)) facility's recommendations for follow-up services.

(b) Seek to develop and/or maintain the recipient's family and community ties and to encourage individual participation.

(c) Secure needed medical care, including assistance in locating a physician and obtaining medication. See WAC 388-91-016(2) concerning drug and pharmaceutical supplies for discharged patients.

(4) All available necessary services shall be provided in order to prevent the recipient's readmission to a psychiatric ((hospital)) facility.

(5) When social services are not being provided, the case record must contain fully documented reasons such as: Client refusal, inability to use services, or services being provided by another agency, or no further need for services.

AMENDATORY SECTION (Amending Order 1044, filed 8/14/75)

WAC 388-95-280 CONDITIONS FOR PAYMENT. (1) The department shall pay for medical care provided to a patient/recipient certified as eligible under this program.

(a) Medical care services provided to a patient/recipient within the psychiatric ((hospital)) facility shall be the responsibility of the ((hospital)) facility until the patient/recipient is discharged. Claim for payment shall be on forms provided by the department.

(b) Leaves of absence, temporary visits, and unauthorized absences for periods exceeding twenty-four hours shall not be counted as in-patient days and shall not be billed. It is not necessary to submit a new admission and billing each time the patient is absent twenty-four hours or more. The hospital may bill on a monthly basis for covered days, excluding the days absent.

(2) Payment for medical care shall be according to chapter 388-87 WAC.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- (1) WAC 388-95-050 TIME-LIMITED VISIT.
- (2) WAC 388-95-250 THERAPEUTIC VISIT.



**WSR 78-09-053
ADOPTED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
[Order 1330—Filed August 22, 1978]**

I, David Hogan, Exec. Assist. of the Department of Social and Health Services do promulgate and adopt at Olympia, Washington, the annexed rules relating to:

Amd: ch. 388-14 WAC relating to support enforcement.
Amd: ch. 388-24 WAC relating to AFDC—Eligibility.

This action is taken pursuant to Notice No. WSR 78-07-043 filed with the code reviser on 6/27/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the secretary of Department of Social and Health Services as authorized in RCW 74.08.090.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 16, 1978.

By David Hogan
Executive Assistant

AMENDATORY SECTION (Amending Order 1054, filed 9/25/75)

WAC 388-14-200 ELIGIBILITY—ASSIGNMENT OF SUPPORT RIGHTS—COOPERATION WITH OFFICE OF SUPPORT ENFORCEMENT—EFFECT OF NONCOOPERATION. This section establishes the initial and continuing requirements which affect eligibility for aid to families with dependent children.

(1) Beginning August 1, 1975, as a condition of eligibility for assistance, each applicant/recipient shall make assignment to the office of support enforcement of any and all right, title, and interest in any support obligation the applicant/recipient may have in his or her own behalf or in behalf of any other family member for whom

the applicant/recipient is applying for or receiving financial assistance including rights to support which have accrued at the time such assignment is executed.

(a) Each ongoing applicant/recipient after August 1, 1975 must make this new assignment. Assignments will be necessary as a condition of continued aid due no later than the date of the next eligibility review. See WAC 388-24-108.

(b) The new assignment must be made before the applicant/recipient is eligible to receive bonus payments.

(2) When (1), above is satisfied, cooperation is further required as a continuing condition of eligibility for assistance unless the ESSO determines that the applicant/recipient has good cause not to cooperate under WAC 388-24-111. Cooperation includes identifying and locating absent parents including possible putative fathers, and in establishing paternity of a child or children, and/or in obtaining support payments or any other payments or property due the applicant/recipient or child(ren) as further provided below:

(a) Cooperation in identifying and locating absent parents including putative fathers includes, but is not limited to:

(i) Providing all known relevant information such as the absent parent's name including known aliases, address, telephone or message number; social security number, employment history, physical description, and data regarding the date and place of marriage, separation, divorce, and dissolution including copies of documents and court orders establishing paternity and/or support obligations, if any. Information must be given at the time of application or at a later time if requested by the office of support enforcement to supplement existing information;

(ii) Providing notice to the office of support enforcement of any and all necessary information concerning the absent parent(s), including all men who could possibly be the putative father of a child on whose behalf the recipient applied for or receives public assistance, and also providing notice of changes in the information and/or notice of new information as available.

(b) Cooperation in establishing the paternity of a child or children including, but not limited to: taking all reasonable action in cooperation with the office of support enforcement, the prosecuting attorneys, the attorney general, courts or other agencies, in administrative hearings, or in actions to prosecute or maintain any legal action or remedy for the establishment of paternity or in investigations preparatory to or supplementary to such hearings or actions, and to develop medical and anthropological evidence relating to the alleged father's paternity based upon tests performed by experts on the mother and the child.

(c) Cooperation in establishing and collecting support and/or in obtaining support payments or any other payments or property due the applicant/recipient or child(ren) includes taking all reasonable action in cooperation with the office of support enforcement, the prosecuting attorneys, the attorney general, courts or other agencies in administrative hearings or in actions to prosecute or maintain any legal action or remedy for the establishment or collection of support obligations or in

investigations preparatory to or supplementary to such hearings or actions.

(d) Cooperation in the obtaining of support payments further includes but is not limited to:

(i) Providing of specific information at the time of application to establish the amount of the support debt accrued to the applicant/recipient prior to application for assistance.

(ii) Immediate remittance of all support payments received by the applicant/recipient from any person or agency to the office of support enforcement.

(3) If the applicant/recipient fails to cooperate as defined above the caretaker/relative shall be ineligible to receive assistance and any assistance for which the children may be eligible shall be provided by protective payment as specified in WAC 388-33-453; the determination of requirements for the child(ren) shall be computed without regard to the requirements of the caretaker/relative.

(4) If support monies are not promptly remitted and protective payments have been established without regard to the requirements of the caretaker/relative pursuant to WAC 388-33-453, the office of support enforcement may enter into a written agreement with the caretaker/relative for satisfaction of the obligation of remittance of support payments by monthly installment payments to the office of support enforcement in amounts not less than ten percent of the original amount not remitted. If a caretaker/relative makes such an agreement for satisfaction and is restored to grant status and fails to make the required monthly payments or again fails to promptly remit support monies received direct, said recipient is subject to WAC 388-33-453 and thereafter may establish cooperation under this subsection only by remittance to the office of support enforcement of the full amount of support monies received.

(5) In the event of failure to cooperate under the requirements of this section and/or WAC 388-24-108 and/or 388-24-109, "aid to families with dependent children" does not mean payments with respect to a parent (or other individual whose needs should be considered in determining the need of the child(ren) or relative claiming aid) of a child or children. Nothing in these rules shall be construed to make an otherwise eligible child ineligible for protective payments because of the failure of such parent (or such other individual) to cooperate or make assignment.

NEW SECTION

WAC 388-14-205 RESPONSIBILITIES OF THE OFFICE OF SUPPORT ENFORCEMENT. (1) The office of support enforcement will undertake, when public assistance is paid or the services requested, to:

(a) Establish paternity of any child born out of wedlock; and

(b) Secure support for a child from any person legally liable for such support.

(2) The office of support enforcement will not act to establish paternity or secure child support in any case for which it has received notice that the ESSO has determined that there has been a finding of good cause under WAC 388-24-111.

(a) The office of support enforcement will insure that all activities under Title IV-D to establish paternity or secure child support including activities of agencies acting under cooperative agreements are suspended when OSE receives notice from the ESSO that an applicant or recipient has claimed good cause until notified of the final determination of the ESSO.

A child support obligation continues while enforcement and/or collection action is suspended pending a final determination of good cause and will be subject to collection when a decision is made that good cause for refusal to cooperate no longer exists.

(b) If the IV-A agency has determined that the applicant/recipient has good cause not to cooperate but that child support enforcement may proceed without the participation of the caretaker/relative, then the office of support enforcement shall undertake to establish paternity or secure child support without the involvement of the caretaker/relative.

(c) The office of support enforcement will review and comment on the findings and basis for the proposed determination by the ESSO.

(d) The office of support enforcement will be a party to any hearing requested as a result of an applicant's or recipient's appeal of any agency action under WAC 388-24-111.

AMENDATORY SECTION (Amending Order 1054, filed 9/25/75)

WAC 388-24-109 ELIGIBILITY CONDITIONS APPLICABLE TO AFDC-R AND AFDC-E—COOPERATION IN OBTAINING SUPPORT FROM ABSENT PARENTS. As a condition of eligibility each applicant for or recipient of AFDC shall be required to cooperate as specified in WAC 388-14-200 except as specified in WAC 388-24-111.

NEW SECTION

WAC 388-24-111 GOOD CAUSE FOR FAILURE TO COOPERATE WITH SUPPORT ENFORCEMENT. (1) The requirement for cooperation of the applicant/recipient in WAC 388-24-109 shall be waived if the department determines that such cooperation would not be in the best interest of the child(ren) for whom assignment has been made according to WAC 388-24-108.

(2) The applicant/recipient must be informed that they have the right to claim good cause for refusing to cooperate as specified in WAC 388-14-200(2)(a), (b) and (c) and 388-24-109.

(3) The applicant/recipient who claims to have good cause for refusing to cooperate must:

(a) Provide evidence of at least one of the good cause circumstances; or

(b) Provide sufficient information (such as the putative father or absent parent's name and address) to permit an investigation to determine the existence of any of the circumstances specified in subsection (6) of this section.

(4) When an applicant/recipient claims to have good cause for refusing to cooperate, the ESSO social service

staff will determine that good cause exists only if it finds that:

(a) The evidence supplied by the applicant/recipient establishes that cooperation would be against the best interest of the child; or

(b) Investigation of the circumstances of the case confirms the applicant's/recipient's claim that cooperation would be against the best interest of the child(ren).

(5) The final determination by the ESSO social service staff that good cause does or does not exist shall be made promptly, will be in writing and contain the ESSO's findings and basis for determination. It shall also be entered into the financial and service records.

(6) The ESSO social service staff will determine that cooperation in establishing paternity and/or securing support is against the best interest of the child only if:

(a) The applicant's/recipient's cooperation is reasonably anticipated to result in:

(i) Physical or bona fide emotional harm to the child for whom support is to be sought; or

(ii) Physical or emotional harm to the parent or caretaker relative with whom the child is living which reduces the parent or caretaker relative's capacity to care for the child adequately; or

(b) At least one of the following circumstances exists, and the ESSO social service staff believes that because of the existence of that circumstance, in the particular case, proceeding to establish paternity or secure support would be detrimental to the child for whom support would be sought:

(i) The child for whom support is sought was conceived as a result of incest or forcible rape;

(ii) Legal proceedings for the adoption of the child are pending before a superior court; or

(iii) The applicant/recipient is currently being assisted by a public or licensed child-placing agency to resolve the issue of whether to keep the child or relinquish it for adoption, and the discussions have not gone on for more than three months.

(7) Acceptable evidence upon which the ESSO social service staff will base a determination of good cause, without further investigation, is limited to the following documents:

(a) Birth certificates or medical or law enforcement records which indicate that the child was conceived as the result of incest or forcible rape;

(b) Court documents or other records which indicate that legal proceedings for adoption are pending before a superior court;

(c) Court, medical, criminal, child protective services, social services, psychological, or law enforcement records which indicate that the putative father or absent parent might inflict physical or emotional harm on the child or parent or caretaker relative;

(d) Medical records which indicate emotional health history and present emotional health status or written statements from a mental health professional indicating a diagnosis or prognosis concerning the emotional health of the parent or caretaker relative or the child(ren) for whom support would be sought. The recommendation of the mental health professional or the indication of the medical records must be that cooperation by the parent

or caretaker relative would not be in the best interest of the child(ren);

(e) A written statement which includes the dates of counseling from a public or licensed child-placing agency that the applicant/recipient is being assisted by the agency to resolve the issue of whether to keep the child or relinquish it for adoption.

(8) Upon request, the ESSO will assist the applicant/recipient in obtaining the required evidence.

(9) If the applicant/recipient cannot present evidence as outlined in subsection (7) of this section and still wishes to claim good cause, the applicant/recipient must provide information which will enable the ESSO to conduct an investigation regarding the circumstances of the claim. A determination that good cause exists may be based on any verifying information acceptable to the ESSO social service staff. However, during the investigation the ESSO:

(a) Shall not contact the absent parent or alleged father from whom support would be sought unless such contact is determined to be necessary to establish the good cause claim; and

(b) Prior to making such necessary contact, shall notify the applicant/recipient and give them the opportunity to:

(i) Present additional evidence or information so that contact with the absent parent or putative father becomes unnecessary; or

(ii) Withdraw the application for assistance; or

(iii) Request a fair hearing.

(10) For every good cause determination which is based in whole or in part upon the anticipation of emotional harm to the child, the custodial parent or the caretaker relative, the ESSO social service staff shall consider and document its findings regarding the following factors:

(a) The present emotional state of the individual subject to emotional harm;

(b) The emotional health history of the individual subject to emotional harm;

(c) The intensity and probable duration of the emotional upset;

(d) The degree of cooperation to be required; and

(e) The extent of involvement of the child in the paternity establishment or support enforcement activity to be undertaken.

(11) In the process of making a final determination of good cause for refusal to cooperate, the ESSO social service staff shall:

(a) Afford the office of support enforcement the opportunity to review and comment on the findings and basis for the proposed determination;

(b) Consider any recommendation from the office of support enforcement; and

(c) Provide the office of support enforcement the opportunity to participate in any hearing that results from an applicant's/recipient's appeal of any determination based on a good cause claim.

(12) Assistance shall not be denied, delayed or discontinued pending a determination of good cause for refusal to cooperate if the applicant/recipient has complied with the requirements to furnish evidence or

information, if the applicant/recipient is otherwise eligible.

(13) The ESSO social service staff shall periodically review, not less frequently than at each eligibility review, all cases in which a finding of good cause for refusal to cooperate has been made. If it determines that good cause no longer exists, it will rescind its decision and require cooperation by the applicant/recipient.

(14) The ESSO shall maintain records concerning its activities under this section.

(15) If the ESSO social service staff makes a determination of good cause on the basis of circumstances specified in subsection (6) of this section, it shall also make a determination of whether or not support enforcement activities could proceed without risk of harm to the child or the parent or caretaker relative if the enforcement activities did not involve their participation. This determination shall be in writing, contain the ESSO's findings and basis for determination, and be entered into the financial and service records.

(16) If the ESSO social service staff excuses cooperation but determines that the office of support enforcement may proceed to establish paternity or enforce support, it shall notify the applicant/ recipient to enable the applicant/recipient, if they desire, to withdraw their application for assistance, or request a fair hearing.

(17) The ESSO will promptly report to the office of support enforcement:

(a) All cases in which good cause has been claimed and a determination is pending;

(b) All cases in which it has been determined that there is good cause for refusal to cooperate and its determination whether or not support enforcement activities may proceed without the participation of the parent or caretaker relative;

(c) All cases in which it has been determined that there is not good cause for refusal to cooperate;

(d) All cases in which a fair hearing has been requested; and

(e) Results of subsequent eligibility reviews in cases previously determined to have good cause.

WSR 78-09-054

NOTICE OF PUBLIC MEETINGS STATE HOSPITAL COMMISSION [Memorandum, Exec. Director—August 18, 1978]

The State Hospital Commission, at its meeting on August 10, scheduled the following meeting dates for the months of September, October, November and December. All meetings will be held at University Tower Hotel, N.E. 45th and Brooklyn Avenue, Seattle.

September 7, 1978	9:30 a.m.	December 14, 1978	9:30 a.m.
September 28, 1978	9:30 a.m.	December 15, 1978	9:30 a.m.
October 12, 1978	9:30 a.m.	December 16, 1978	9:30 a.m.
November 2, 1978	9:30 a.m.		(Tentative)
December 7, 1978	9:30 a.m.	December 21, 1978	9:30 a.m.
December 8, 1978	9:30 a.m.	December 22, 1978	9:30 a.m.

**WSR 78-09-055
ADOPTED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Health)**
[Order 1329—Filed August 22, 1978]

I, David Hogan, Exec. Assist. of the Department of Social and Health Services do promulgate and adopt at Olympia, Washington, the annexed rules relating to:

New chapter 248-15 WAC Advanced Life Support Technician rules and regulations.

This action is taken pursuant to Notice No. WSR 78-06-132 and 78-08-085 filed with the code reviser on 6/7/78 and 7/28/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 18.71.205 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 9, 1978.

By David Hogan
Executive Assistant

**Chapter 248-15 WAC
ADVANCED LIFE SUPPORT TECHNICIAN—
RULES AND REGULATIONS**

NEW SECTION

WAC 248-15-010 DECLARATION OF PURPOSE. The purpose of these rules and regulations is to set forth standards governing the selection, training, certification and decertification of physician's trained mobile intravenous therapy technicians, physician's trained mobile airway management technicians and physician's trained mobile intensive care paramedics. Unless otherwise stated, such words as "approved," "certified," or "designated," when used in this chapter, shall mean that such approval, certification or designation is by authority of the department of social and health services or by the University of Washington's School of Medicine.

The National Training Course, Emergency Medical Technician Paramedic, United States Department of Transportation, National Highway Traffic Safety Administration may be used as an acceptable reference for course presentation. Modules enumerated in that course generally conform to standards stated in these rules and regulations.

NEW SECTION

WAC 248-15-020 DEFINITIONS. For the purpose of these rules and regulations, the following words, phrases, and abbreviations shall have the following meanings unless the context clearly indicates otherwise (also see WAC 248-17-020 for additional abbreviations and definitions applicable to this chapter).

(1) "Department" shall mean the department of social and health services.

(2) "Approved licensed physician" shall mean a licensed physician who:

(a) Is knowledgeable in emergency medical services; and

(b) Has been accepted by the department or by the University of Washington's School of Medicine as being qualified to the equivalent certification in advanced cardiac life support training by the American Heart Association; and

(c) Is designated as a physician program director, responsible for coordinating matters pertaining to an advanced life support system; or

(d) Is designated as a training physician, responsible for the training of physician's trained mobile intravenous therapy technicians, physician's trained mobile airway management technicians, or physician's trained mobile intensive care paramedics; or

(e) Is designated as a supervising physician, responsible for the control and direction of certified advanced life support personnel in the performance of their duties and who directs such advanced life support personnel by verbal communication or by standing orders; and

(f) Is approved by the department or by the University of Washington's School of Medicine to perform such designated functions in emergency medical services.

(3) "Emergency medical and ambulance review committee" shall mean that committee appointed by the governor under RCW 18.73.040 which is responsible for advising and assisting the secretary on the identification of the requirements for prehospital emergency medical and ambulance services and practices and the formulation of implementation planning.

(4) "Emergency medical technician" (abbr. EMT) shall mean an individual who is certified according to chapter 18.73 RCW.

(5) "Physician's trained mobile intravenous therapy technician" (abbr. IV Therapy Technician) shall mean an individual who has successfully completed an emergency medical technician training course; has been trained under the supervision of an approved training physician to administer intravenous solutions under written or oral authorization of an approved supervising physician and has been examined and certified as a physician's trained mobile intravenous therapy technician by the department or the University of Washington's School of Medicine.

(6) "Physician's trained mobile airway management technician" (abbr. Airway Management Technician) shall mean an individual who has successfully completed an emergency medical technician training course; has been trained under the supervision of an approved training physician to perform endotracheal airway management and other authorized aids to ventilation under written or oral authorization of an approved supervising physician and has been examined and certified as a physician's trained mobile airway management technician by the department or the University of Washington's School of Medicine.

(7) "Physician's trained mobile intensive care paramedic" (abbr. Paramedic) shall mean an individual who

has successfully completed an emergency medical technician training course; has been trained under the supervision of an approved training physician to carry out all phases of prehospital advanced life support under written or oral authorization of an approved supervising physician and has been examined and certified as a physician's trained mobile intensive care paramedic by the department or the University of Washington's School of Medicine.

(8) "Secretary" shall mean the secretary of the department of social and health services.

(9) "Emergency medical services council" shall mean an organized council of emergency medical services providers recognized by the department of social and health services. The council may represent county or multi-county area.

(10) "Advanced life support technician" shall mean any level of technician certified under RCW 18.71.200.

NEW SECTION

WAC 248-15-030 PHYSICIAN'S TRAINED MOBILE INTRAVENOUS THERAPY TECHNICIAN—AIRWAY MANAGEMENT TECHNICIAN—MOBILE INTENSIVE CARE PARAMEDIC, SELECTION, GENERAL TRAINING, AND KNOWLEDGE STANDARDS. (1) Applicants for training as physician's trained mobile intravenous therapy technicians shall meet the following prerequisites:

(a) Successful completion of an emergency medical technician course as described in chapter 18.73 RCW;

(b) A minimum of one year's current experience as an active emergency medical technician;

(c) Be selected for training by the physician program director and the academic facility used for such training;

(d) Successfully pass such pretraining written, practical and/or oral examinations required by the department.

(2) Academic facilities used for training of physician's trained mobile intravenous therapy technicians shall possess the following minimum criteria:

(a) The academic facility shall have written agreements with the department to perform the training;

(b) The academic facility shall have written agreements with the clinical facility if the clinical training is accomplished in a separate facility.

(3) Academic instructional personnel shall consist of the following categories:

(a) An approved licensed physician program director who will be responsible for systems coordination.

(b) An approved licensed training physician who will be responsible for the academic and clinical content of the course—the physician program director and training physician may be combined into one responsibility.

(c) A course coordinator appointed by the academic facility who shall be responsible for processing applications and assist in the selection of students; maintain an inventory of all training equipment available; assist in the selection of instructors, schedule classes and assign instructors; conduct instructor and clinical preceptor orientation; schedule students for the in-hospital clinical

experience; assist in the coordination of the examination sessions, including the preparation of evaluation materials; counsel trainees on an individual basis and other related duties under the training physician. The course coordinator need not be a physician.

(d) Instructional personnel consisting of such physicians, nurses, and allied health professionals knowledgeable in specific subject matter of a given lesson.

(4) Clinical facilities used for training of physician's trained mobile intravenous therapy technicians shall have as minimum qualifications, the following departments or sections, personnel and policies:

(a) Approved supervising physician coverage for emergency care in accordance with WAC 248-18-285;

(b) Have program approval in writing from the administrator and chief of staff;

(c) Appoint an approved training physician who will be available for consultative help to students for the duration of the course;

(d) Agree in writing to participate in continuing education;

(e) Provide clinical experience with supervision of students during the clinical portion of the training program;

(f) Have necessary radio equipment for voice communications between field personnel and clinical facility;

(g) Agree to provide an orientation program that will inform students as to the policies, procedures and general layout of the facility, as well as inform employees of the purpose and limits of the program.

(5) The course content shall consist of the following minimum knowledge standards or equivalent which each student must be able to meet:

STANDARD I—THE ADVANCED LIFE SUPPORT TECHNICIAN, HIS ROLE, RESPONSIBILITIES AND TRAINING

(a) Role of the advanced life support technician:

(i) Identify the activities performed by an advanced life support technician in the field;

(ii) Identify the role of the advanced life support technician in the emergency medical system in which he is functioning;

(b) Laws governing the advanced life support technician:

(i) Demonstrate a working knowledge of the Medical Practices Act of the state of Washington, the Good Samaritan Law, Washington state legislation affecting emergency medical technicians and advanced life support technicians and the Washington Administrative Code rules for ambulance operation;

(ii) Demonstrate a knowledge and understanding of:

(A) Consent

(B) Abandonment

(C) Delegated practice (standing orders)

(D) Liability and malpractice

(E) Required records and reports for substantiating incidents.

(c) Orientation to the advanced life support program:

(i) Identify the skills required of an advanced life support technician;

(ii) Identify the requirements for:

(A) Emergency medical technician

(B) Physician's trained mobile intravenous therapy technician
 (C) Physician's trained mobile airway management technician

(D) Physician's trained mobile intensive care paramedic
 (E) The training level of all approved Washington state emergency care providers.

(d) Issues concerning the health professional. The advanced life support technician shall demonstrate a knowledge and understanding of:

- (i) Ethics; professional conduct, confidentiality;
- (ii) Legal requirements relating to advanced life support technicians;
- (iii) The difference between ethical behavior and legal requirements.

(e) The student shall be able to identify the activity most appropriate in the handling of a dying patient, bystanders or the immediate relatives of the dying patient.

STANDARD II—HUMAN SYSTEMS AND PATIENT ASSESSMENT

(a) Medical terminology: Demonstrate a working knowledge of medical terminology and anatomical terms, including common prefixes and suffixes, and state their meanings.

(b) Human systems (anatomy and physiology)

(i) Recognize the differences and define the categories of:

- (A) Anatomy
- (B) Physiology
- (C) Biochemistry
- (D) Biophysics.

(ii) Demonstrate a knowledge of the basic principles of cell function, cell specialization and cell structure.

(iii) Recall and identify all common anatomic terms to include the anatomic terms relating to all medical subspecialties.

(iv) Identify and demonstrate a knowledge of the following systems, subsystems or organs of the body and recognize and associate the label for each system, subsystem or organ with the appropriate function:

- (A) Muscles
- (B) Skeleton
- (C) Joints
- (D) Respiratory system
- (E) Lymphatic system
- (F) Brain
- (G) Spinal cord
- (H) Peripheral nervous system
- (I) Autonomic nervous system
- (J) Renal system
- (K) Liver
- (L) Digestive system
- (M) Endocrine system
- (N) Circulatory system.

(c) Patient assessment:

- (i) Describe and demonstrate how to conduct a primary survey;
- (ii) Identify the steps required in the primary assessment of a communicative and noncommunicative patient;

(iii) Recall from memory the components of the secondary assessment;

(iv) Outline the information that must be obtained in:

- (A) Immediate history
- (B) Pertinent past medical history
- (C) Pertinent family history

(v) Answer questions and describe in detail all components of a complete examination of a critically ill patient;

(vi) Demonstrate the ability to communicate information regarding patient assessment to the supervising physician at a remote medical facility and to the medical personnel receiving the patient.

NEW SECTION

WAC 248-15-040 PHYSICIAN'S TRAINED MOBILE IV THERAPY TECHNICIAN—TRAINING AND KNOWLEDGE STANDARDS. (1) Shock and fluid therapy

(a) Fluid and electrolytes:

(i) Demonstrate a knowledge of:

- (A) Intracellular fluid
- (B) Extracellular fluid
- (C) Intravascular fluid
- (D) Extravascular fluid
- (E) Interstitial fluid
- (F) Total body fluid;

(ii) Demonstrate a knowledge of:

- (A) Isotonic solution
- (B) Hypertonic solution
- (C) Hypotonic solution;

(iii) Given a list of IV solutions, demonstrate a knowledge of the osmotic effect of the solution when introduced into the body;

(iv) Demonstrate a working knowledge of acid base balance in the human body and acid base equilibrium;

(v) Identify those fluids normally carried in the field that are used to increase the circulating blood volume;

(vi) Demonstrate a working knowledge of the components of D5W, D5-normal saline, lactated Ringers solution and bicarbonate (NaHCO_3).

(b) Blood and its components:

(i) Demonstrate a knowledge of blood and its components. Describe the function of:

- (A) Plasma
- (B) Red cells
- (C) White blood cells
- (D) Platelets;

(ii) Show an understanding of the common terms related to blood:

- (A) Hematocrit
- (B) Hemoglobin
- (C) Anemia
- (D) Hemostasis
- (E) Transfusion reaction;

(iii) Demonstrate a knowledge of blood typing and be able to define:

- (A) A universal donor
- (B) A universal blood recipient
- (C) A transfusion reaction.

(c) Techniques of management:

- (i) Identify the criteria for intravenous infusion;

(ii) Identify all items which might normally be carried in a paramedic unit or paramedic kit, which relate to IV infusion;

(iii) Identify at least two components for each of the IV solutions carried in a paramedic's apparatus or that a paramedic is trained to administer. This will include a minimum of three solutions;

(iv) Demonstrate a knowledge of measuring volume of content in IV solution in milliliters and liters;

(v) Compare standard and pediatric IV administration sets with respect to drops per minute and explain the effect of the viscosity of the solution upon that rate;

(vi) Demonstrate a knowledge of the various intravenous needles and their parts including:

(A) Winged needle devices (butterfly)

(B) Catheter over the needle device (ABBACATH or angiocath)

(C) Catheter through the needle device (INTRACATH);

(vii) Compare the over-the-needle device with an intracatheter and be able to note the limitations and dangers of each;

(viii) Identify the appropriate sites for venipuncture on the body;

(ix) Demonstrate a knowledge of the anatomy of superficial veins of the upper and lower extremities;

(x) Demonstrate in written examination, the sequence required to start an IV;

(xi) Demonstrate a knowledge of those situations that depict an air embolism in a patient, the effect of the embolism and the techniques for preventing embolisms;

(xii) Be able to describe the effect of IV fluid temperature upon the vessels when entering a body;

(xiii) Be familiar with all of the common definitions and terms associated with shock and fluid therapy.

(2) Testing will occur periodically throughout the course. Each student shall demonstrate knowledge objectives on a written examination approved by the department or the University of Washington's School of Medicine. In addition, each student will be required to demonstrate proficiency by a practical examination. On completion of the course, the student will be able to display knowledge of the topics on written examination. Successful performance will be defined as correctly responding to eighty percent of the items appearing on the examination. The student will not be permitted to use any materials or notes during the examination. For those standards involving recognition, the student will be required to recognize the specific term, definition or procedural step(s) from a group of terms, definitions or procedural steps presented to him. Recall involves the student expressing the term, definition or procedural step(s) either orally or in writing, without the presence of any cues.

(3) The skills standards required of physician's trained mobile intravenous therapy technicians shall consist of the following minimum requirements or equivalent.

(4) Fluid and IV therapy—skill standard

(a) Given the following equipment:

(i) 18# winged needle device;

(ii) Administration set;

- (iii) IV fluid;
- (iv) Iodine or alcohol wipes;
- (v) Tourniquet;
- (vi) Sterile dressing;
- (vii) Padded armboard; and
- (viii) Adhesive tape.

Demonstrate on a fellow student or patient the procedure for initiating an IV using a winged needle device. The infusion will be considered successful if it is running at a flow rate within three drops per minute of the stipulated flow rate and infiltration is not present.

(b) Given the following equipment:

- (i) 18# over-the-needle catheter device;
- (ii) Administration set;
- (iii) IV fluid;
- (iv) Iodine or alcohol wipes;
- (v) Tourniquet;
- (vi) Sterile dressing;
- (vii) Padded armboard; and
- (viii) Adhesive tape.

Demonstrate on a practice arm, a fellow student or patient, the procedure for initiating an IV using an over-the-needle catheter device. The infusion will be considered successful if it is running at a flow rate within three drops per minute of the stipulated flow rate and infiltration is not present.

(c) (Optional) Given the following equipment:

- (i) 18# through-the-needle catheter device;
- (ii) Administration set;
- (iii) IV fluid;
- (iv) Iodine wipes;
- (v) Tourniquet;
- (vi) Sterile dressing;
- (vii) Padded armboard; and
- (viii) Adhesive tape.

Demonstrate on a practice arm, the procedure for initiating an IV using a through-the-needle catheter device. The infusion will be considered successful if it is running at a rate within three drops per minute of the stipulated flow rate and infiltration is not present.

(d) Given a properly functioning infusion on a practice arm, fellow student or patient during a practical exercise, demonstrate the technique of stopping an infusion and caring for the injection site.

(e) Given a minimum of three situations presented by the instructor during a practical exercise in which the IV infusion is not running on a practice arm, identify the problem and correct it. The problems may include the following:

- (i) Flow clamp closed;
- (ii) Height of IV too low;
- (iii) Needle not patent;
- (iv) Tubing kinked or pinched;
- (v) Air vent not patent;
- (vi) Tourniquet still in place;
- (vii) Identify the problems and correct them. Each situation may involve more than one, but not more than two problems.

(f) Given a properly functioning infusion on a practice arm during practical exercise, demonstrate the technique for removal of an air bubble from the administration set.

The demonstration will be considered successful if the bubble is entirely removed in two consecutive attempts.

(g) Given an over-the-needle device properly initiated in a practice arm, a 25cc syringe and three rubber-topped sample collecting tubes, demonstrate the procedure for collecting blood samples.

(h) Given a 500 ml. bottle of IV fluid, a 500 ml. or 1000 ml. flexible bag of IV fluid and administration set, demonstrate how to properly set up an intravenous set using aseptic techniques.

(5) After attending the lecture and demonstrations and given an opportunity to practice the involved skills, the students will be able to correctly perform each of the skill standards in the presence of the instructor and without the use of notes, diagrams or charts. Correct performance will be defined by the instructor during the lecture and demonstration sessions. The student will be given no more than three attempts to successfully perform each of the required steps in the proper sequence.

(6) To maintain a qualification in this skill, the individual provider must perform a minimum of five catheter-around-needle insertions on sick, injured, or postoperative patients in a month, averaged over a ninety-day period, during the first year following certification. In the second and subsequent years following certification, the performance frequency shall be at least three insertions per month. In addition, the individual provider shall maintain a minimum of fifteen hours of approved continuing education each year.

(7) Standards for IV therapy technician correspond to module I, II, and III, department of transportation curriculum reference.

NEW SECTION

WAC 248-15-050 PHYSICIAN'S TRAINED MOBILE AIRWAY MANAGEMENT TECHNICIAN—TRAINING AND KNOWLEDGE STANDARDS. (1) Meet requirements of WAC 248-15-030.

(2) Respiratory system:

(a) Anatomy and physiology of the respiratory system:

(i) Demonstrate a knowledge of all the components and functions of the anatomy of the upper respiratory tract;

(ii) Demonstrate a knowledge of all the components and functions of the anatomy of the lower respiratory tract;

(iii) Demonstrate a knowledge of the role of the muscles that are primarily involved in respiration;

(iv) Describe at least five causes of change in respiratory rate;

(v) Outline and describe the nervous system as it relates to the respiratory center and to respiratory function;

(vi) Demonstrate a knowledge of normal and abnormal blood gas values and their effect on blood pH and respiratory activity.

(b) Pathophysiology and management of respiratory problems:

(i) Identify those medical problems which may cause acute respiratory insufficiency;

(ii) Demonstrate a knowledge of those trauma related problems that may cause acute respiratory insufficiency;

(iii) Demonstrate a knowledge of the procedures required to give appropriate treatment in the management of the respiratory arrest patient;

(iv) Given a list of causes of upper airway obstruction, describe those causes which are most common and describe the techniques required to relieve airway obstruction;

(v) Demonstrate an understanding of the general characteristics, causes and treatment for the following respiratory problems:

- (A) Asthma
- (B) Chronic lung disease
- (C) Emphysema
- (D) Chronic obstructive pulmonary disease (COPD)
- (E) Respiratory burns
- (F) Inhaled toxic gases
- (G) Drowning;

(vi) Demonstrate a knowledge of the following clinical presentations:

- (A) Rhonchi
- (B) Rales
- (C) Pulmonary edema
- (D) Upper respiratory edema
- (E) Absence of gag reflex;

(vii) Identify and appropriately treat the drowning victim and the near-drowning victim in both fresh and salt water, describe the physiological differences based on the type of water composition. List the differences in the treatment of the respective patients;

- (viii) Demonstrate a working knowledge of IPPB;
- (ix) Demonstrate an ability to properly treat the patient with pulmonary edema;

(x) Demonstrate a knowledge and familiarization of the various normal and abnormal breath sounds heard upon auscultation;

(xi) Demonstrate a knowledge of hypoventilation and its causes, clinical manifestations and treatment;

(xii) Demonstrate a knowledge of respiratory problems resulting from fractured ribs;

(xiii) Demonstrate knowledge of the definitions, symptoms and treatment procedures used in the management of:

- (A) Flail chest
- (B) Simple pneumothorax
- (C) Tension pneumothorax
- (D) Sucking chest wound
- (E) Hemothorax.

(c) Techniques of management:

(i) Demonstrate a knowledge of oxygen delivery, oxygen adjuncts and oxygen delivery methods and the advantages and disadvantages of each delivery method;

(ii) Identify the potential complications in the administration of oxygen and of oxygen's toxic effects;

(iii) Demonstrate a thorough knowledge of laryngoscopy and endotracheal intubation;

(iv) Demonstrate a knowledge of esophageal obturation airway methods;

(v) Demonstrate an understanding of the purpose, indications and methods of thoracic decompression;

(vi) Identify the indications, equipment (including cricothyrotomes) and methods of performing cricothyroidotomy.

(3) Testing will occur periodically throughout the course. Each student shall demonstrate knowledge objectives on a written examination approved by the department or the University of Washington's School of Medicine. In addition, each student will be required to demonstrate proficiency by a practical examination. On completion of the course, the student will be able to display knowledge of the topics on written examination. Successful performance will be defined as correctly responding to eighty percent of the items appearing on the examination. The student will not be permitted to use any materials or notes during the examination. For those standards involving recognition, the student will be required to recognize the specific term, definition or procedural step(s) from a group of terms, definitions or procedural step(s) presented to him. Recall involves the student expressing the term, definition or procedural step(s) either orally or in writing, without the presence of any cues.

(4) The skills standards required of physician's trained mobile airway management technicians shall consist of the following minimum requirements or equivalent.

(5) Aids to ventilation:

(a) Endotracheal intubation:

(i) Given an adult and/or an infant intubation manikin, laryngoscope, assorted curved and straight blades, endotracheal tube, lubrication jelly, syringe, hemostat, bag-valve unit, bite block and tape, demonstrate the technique for the insertion of an endotracheal tube within thirty seconds. Thirty seconds is the maximum allowable interruption in the ventilation cycle. During testing, only two attempts to pass the tube will be allowed;

(ii) Given an anesthetized patient in a clinical or operating room setting or a human cadaver and laryngoscope, assorted curved and straight blades, endotracheal tube, lubrication jelly, syringe, hemostat, bag-valve unit, appropriate forceps, bite block and tape, demonstrate the technique for the insertion of an endotracheal tube within thirty seconds consistently. Thirty seconds is the maximum allowable interruption in the ventilation cycle. During testing, only two attempts to pass the tube will be allowed;

(iii) Given an adult intubation manikin, laryngoscope, assorted curved and straight blades, and appropriate forceps, the student will be able to demonstrate the technique of direct laryngoscopy for removal of a foreign body;

(iv) Given a suction device, sterile catheters, a container of water, sterile gloves and a patient or manikin with endotracheal tube in place, the student will be able to demonstrate aseptic atraumatic orotracheal and endotracheal suctioning technique;

(v) To maintain a qualification in this skill, the individual provider must perform a minimum of three endotracheal intubations per month, averaged over a ninety-day period, on human subjects during the first year following certification. In the second and subsequent years

following certification, the performance frequency shall be at least two intubations per month. In addition, the individual provider shall maintain a minimum of fifteen hours of approved continuing education each year. Subjects may be anesthetized patients, patients seen in actual emergencies or human cadavers*.

(b) (Optional) Esophageal obturation:

(i) Given an adult intubation manikin, an esophageal obturator airway, 30cc syringe, and bag-valve unit, demonstrate the technique for the insertion of an esophageal obturator airway;

(ii) Demonstrate the method to assess correct placement of the obturator and properly obtain a mask seal and ventilate the patient;

(iii) Demonstrate endotracheal intubation with the esophageal obturator in place and subsequent removal of the obturator;

(iv) To maintain a qualification in this skill, users of the esophageal obturator airway must have a refresher training under the direct supervision of a physician every thirty days. Refresher training shall be accomplished on an intubation manikin or human cadaver.

(c) Other adjuncts to airway management:

(i) Given a fellow student as a patient, demonstrate the procedure for the preparation of the oxygen system and the administration of oxygen to a breathing patient using:

(A) Nasal cannula

(B) Partial rebreather mask

(C) Venturi mask

(D) (Optional) Demand valve unit;

(ii) Given an adult manikin, oro and nasopharyngeal airways, pocket mask, oxygen cylinder and bag-valve mask, demonstrate the procedure for administering intermittent positive ventilation using:

(A) Pocket mask

(B) Bag-valve mask

(C) Bag-valve mask with oxygen

(D) Oropharyngeal airway with bag-valve mask;

(iii) Given a bag-valve mask, demonstrate the assembly, disassembly and cleaning of the bag-valve mask unit;

(iv) Given a prepared animal or cadaver, a twelve or fourteen gauge venous catheterization set or an approved style one-way valve, demonstrate the technique for chest decompression;

(v) (Optional) Given an adult manikin, an oropharyngeal airway and a demand valve unit, demonstrate the procedure for performing intermittent positive pressure ventilation;

(vi) (Optional) Given a demand valve unit, demonstrate the assembly, disassembly and cleaning of the demand valve unit;

(vii) (Optional) Given an animal or cadaver with an obstructed upper airway, and a cricothyrotome or cricothyroidotomy set with scalpel, the student will demonstrate the procedure for performing a cricothyroidotomy.

(6) Standards for physician trained mobile airway management technicians compare to Module I, II and IV, department of transportation curriculum reference.

*Human cadavers may be used not to exceed three per ninety days in the first year and not more than two per ninety days in the second year and subsequent years.

NEW SECTION

WAC 248-15-060 PHYSICIAN'S TRAINED MOBILE INTENSIVE CARE PARAMEDIC—TRAINING AND KNOWLEDGE STANDARDS. (1) Meet requirements of WAC 248-15-040, Physician's Trained Mobile IV Therapy Technician.

(2) Meet requirements of WAC 248-15-050, Physician Trained Mobile Airway Management Technician.

(3) General pharmacology.

(a) Action of drugs:

(i) Demonstrate a knowledge of the local effects, general and systemic effects of all drugs included in the training program;

(ii) Required to list at least five routes in which drugs are administered;

(iii) Required to demonstrate a knowledge of all common definitions and terms relating to general pharmacology and all of the drugs presented in the training program;

(iv) Required to demonstrate a knowledge of the effects associated with sympathomimetic amines (alpha or beta agents);

(v) Required to be able to give the following information regarding any specific drug that is available for his administration:

- (A) Dose
- (B) Dilution
- (C) Action
- (D) Indications and use
- (E) Precautions
- (F) Incompatibility
- (G) Contra-indications
- (H) Side effects
- (I) Antidotes;

(b) Weights and measures:

(i) Demonstrate a knowledge of both the apothecary system and the metric system of measurement;

(ii) Demonstrate an ability to do basic dose/weight problems; i.e., given a weight of a patient in pounds and drug dose in milligrams/kilograms, calculate the appropriate drug dose for the patient, e.g., a one hundred fifty pound patient is to receive 0.01 milligrams/kilograms of atropine — how much atropine should be given?

(iii) Identify at least four methods of administering drugs and a minimum of eight safety considerations relating to administration of drugs.

(c) Techniques of administration:

(i) Demonstrate a knowledge of drug ampules, vials, bottles, preloaded syringes, and syrettes;

(ii) Demonstrate knowledge of the proper means of administration of:

- (A) IV injections
- (B) Subcutaneous injections
- (C) Intramuscular injections
- (D) Intracardiac injections
- (E) Endotracheal instillation.

(4) Medication administration.

(a) Given the following medication containers, 18# needle, alcohol swab, syringe and flowing intravenous line, demonstrate the procedure for the administration of medications from:

- (i) Ampules;
- (ii) Bottles;
- (iii) Single dose vials;
- (iv) Multiple dose vials;
- (v) Pre-packaged, single dose vial injectors;
- (vi) Fluid/powder combination preparation requiring dilution and/or mixing.

(b) Given a fellow student, 22# intramuscular needle, alcohol preparation swab, 1cc syringe and sterile saline, demonstrate the correct procedure for the administration of intramuscular and subcutaneous injections.

(c) (Optional) Given a cadaver, a long needle syringe (or preloaded syringe with 3 1/2" needle), perform intracardiac injection via the subxyphoid. In the absence of current field experience, the paramedic shall maintain this skill by performing two subxyphoid intracardiac taps per month, averaged over ninety days in the field, using a cadaver and an appropriate syringe, long-needle combination.

(d) Given an intubation manikin or human cadaver with endotracheal tube in place, the student will properly demonstrate the procedure for the administration of appropriate medications via endotracheal tube.

(5) Cardiovascular system.

(a) Anatomy and physiology:

(i) Show a comprehensive understanding of the circulatory system and its components;

(ii) Describe the function of blood;

(iii) Describe the general function of the lymphatic system;

(iv) Demonstrate a comprehensive knowledge of the anatomy of the heart and its physiology;

(v) Describe properly the properties of:

- (A) Automaticity
- (B) Rhythmaticity;

(vi) Demonstrate a significant knowledge of the electrical conduction system of the heart, with particular attention to:

- (A) Sino atrial node
- (B) Internodal atrial pathway
- (C) Atrial ventricular node
- (D) Atrial ventricular junction
- (E) Bundle of His
- (F) Right and left bundle branches
- (G) Purkinje fibers;

(vii) The student will be able to demonstrate a knowledge of the depolarization and repolarization process;

(viii) The student must be able to show a knowledge in interpretation of the monitoring electrocardiogram, with particular emphasis on:

- (A) P-wave
- (B) ORS complex
- (C) T-waves
- (D) P-R interval
- (E) R-R interval
- (F) S-T segment
- (G) Isoelectric line;

(ix) Describe the effect on heart rate of stimulation of the sympathetic and parasympathetic nervous system;

(x) Demonstrate a knowledge of stroke volume, cardiac output, cardiac cycle and heart rate;

(xi) Identify and describe the functions of arteries, veins, capillaries and the varied subsystems of the human blood vessel system.

(b) Patient assessment:

(i) Describe the primary complaints of the cardiac problem patient;

(ii) Identify the causes of dyspnea in a patient with cardiac problems;

(iii) Describe why syncope might occur in patients with cardiac problems;

(iv) Identify the importance of past medical history in a potential cardiac problem patient;

(v) Given a list of drugs, select those drugs that a patient might be taking for cardiovascular problems;

(vi) Demonstrate a knowledge of the special aspects of which to be aware when doing a physical examination of a potential cardiac patient.

(c) Pathophysiology and management of cardiovascular problems:

(i) Identify the risk factors associated with coronary artery disease and show an understanding of the arteriosclerotic process;

(ii) Demonstrate an in-depth knowledge of the pathophysiology, symptoms, signs and treatment protocol for:

(A) Acute myocardial infarction

(B) Angina pectoris

(C) Left and right congestive heart failure;

(iii) Identify the signs, symptoms and pathophysiology of:

(A) Ventricular aneurysm

(B) Cardiac rupture

(C) Cardiogenic shock

(D) Hypertension

(E) Syncope.

(d) Reading and understanding a normal ECG:

(i) Demonstrate a thorough knowledge and understanding of the ECG record;

(ii) Demonstrate a thorough knowledge of the equipment available for the recording and monitoring of electrocardiograms and any adjunctive equipment used to calculate heart rate.

(e) Arrhythmia recognition:

(i) Identify the potential causes of arrhythmias;

(ii) Identify the following abnormalities in the normal ECG:

(A) Distorted P-wave

(B) Irregular R-R interval

(C) P-R interval that is greater than 0.20 seconds

(D) P-R interval that is less than 0.12 seconds

(E) A wide QRS complex

(F) An elevated S-T segment;

(iii) Identify the following ECG rhythms:

(A) Normal sinus rhythm

(B) Sinus arrhythmia and sinus arrest

(C) Sinus bradycardia

(D) Sinus tachycardia

(E) Premature atrial contraction

(F) Supraventricular tachycardia

(G) Atrial flutter

(H) Atrial fibrillation

(I) First degree block

(J) Second degree block

(K) Third degree block

(L) Premature ventricular contractions sig patterns of EKG's

(M) Ventricular fibrillation

(N) Ventricular tachycardia

(O) Paroxysmal atrial tachycardia;

(iv) The student must also be able to correctly:

(A) Determine if the rhythm is irregular, regular or occasionally irregular

(B) Determine if P-waves are present or absent

(C) Determine if P-waves are positive or negative

(D) Determine if P-waves are normal or abnormal in size

(E) Determine if the sequence of P-QRS-T is normal or abnormal

(F) Determine if the P-R interval is normal

(G) Determine the duration of the P-R interval

(H) Determine if the QRS complex is normal or abnormal

(I) Determine the location of the pacemaker

(J) Determine the name of the arrhythmia

(K) Identify what is happening in the heart for each of the common rhythms

(L) Identify artifact

(M) Determine a functioning and malfunctioning artificial pacemaker;

(f) Techniques of management:

(i) Demonstrate a knowledge of the antiarrhythmic drugs and the medications used in the treatment of the heart patient. These drugs will include, but not be limited to:

(A) Atropine

(B) Isoproterenol

(C) Lidocaine

(D) Procainamide

(E) Quinidine

(F) Propranolol

(G) Digoxin

(H) Sodium bicarbonate

(I) Epinephrine

(J) Calcium chloride

(K) Aramine

(L) Levarterenol

(M) Morphine sulphate

(N) Diazepam

(O) Furosemide

(P) Diphenylhydantoin

(Q) Phenylephrine hydrochloride

(R) Dopamine;

(6) Cardiovascular treatment skills.

(a) Given an ECG monitor, alcohol pads, electrolytic compound and a fellow student (or the instructor), monitor the simulated patient's ECG. Successful performance involves:

(i) Setting up the equipment;

(ii) Selecting the location for the three leads;

(iii) Placing the three electrodes.

Any of the following types of electrodes may be used: Silver plates, clamps, disposable discs, needles. The student must accomplish all activities to successfully complete the standard.

(b) Given an adult manikin assumed to be experiencing a supraventricular tachycardia arrhythmia, correctly administer carotid massage.

(c) Given an adult manikin, defibrillator and an assistant (fellow student or instructor), correctly defibrillate the manikin. Successful performance involves:

(i) The administration of cardiopulmonary resuscitation while the assistant sets up the equipment;

(ii) Setting up the equipment while the assistant administers cardiopulmonary resuscitation;

(iii) The application of direct current;

(iv) (Optional) The application of synchronized shock.

Activities (i), (ii) and (iii) must be completed to attain successfully the standard.

(d) Given a portable D.C. defibrillator and monitor, identify all functions, emergency operations and maintenance of the provided unit. Demonstrate alternative functions of the provided unit such as: Synchronized cardioversion, recorder stylus maintenance and emergency charging functions.

(e) Given a defibrillator and a fellow student and child manikin, demonstrate the correct procedure, without actual shock, to perform D.C. defibrillation:

(i) Using the standard anterior chest paddle positioning;

(ii) Using the trans-thoracic A-P positioning alternative;

(iii) On a small child.

All three activities must be completed to attain successfully the standard.

(f) (Optional) Given a cadaver, a long needle, syringe, ECG monitor, ECG electrodes, appropriate wiring harness and alligator clip, demonstrate the procedure for performing a pericardiocentesis.

(7) Central nervous system.

(a) Anatomy and physiology:

(i) Demonstrate an elementary knowledge of the structure and substructures of the central nervous system;

(ii) Identify the primary functions of the cerebrum, cerebellum, brain stem and spinal cord;

(iii) Identify and label the following elements of the spine:

- (A) Vertebral body
- (B) Spinal canal
- (C) Spinal cord
- (D) Nerve root
- (E) Spinous process;

(iv) Identify the results associated with trauma and/or damage to the sympathetic nervous system.

(b) Patient assessment:

(i) Demonstrate an in-depth ability to examine the patient with suspected trauma to the spinal cord or head trauma;

(ii) Identify the chain of events leading to respiratory arrest in the field in the patient with head trauma;

(iii) List all of the signs and symptoms that are assessible in the field in the patient with head trauma;

(iv) Demonstrate a knowledge of how to evaluate brain stem reflexes and the significance of the findings;

(v) Describe which changes should be looked for when monitoring a patient with suspected neurologic problems;

(vi) Demonstrate the ability to conduct a check for paralysis on both the communicative and noncommunicative patients.

(c) Pathophysiology and management of the central nervous system:

(i) Identify the important aspects in the assessment of the patient with head trauma and demonstrate an ability to complete a physical examination of the patient with suspected head injury;

(ii) Identify the importance of clear fluid flowing from the ear or nose in the head of the injured patient and identify the activity required to treat this patient;

(iii) List the signs and symptoms associated with a skull fracture;

(iv) Describe the activity required when opening the airway of an unconscious patient with a suspected spine injury;

(v) Identify those accidents commonly associated with neck/spinal injuries;

(vi) Identify those areas of the spinal cord that are most commonly injured and why;

(vii) Demonstrate an ability to manage a spinal injury;

(viii) Demonstrate a knowledge of neurogenic shock;

(ix) Demonstrate a knowledge of the potential causes of coma and a knowledge of the treatment of coma;

(x) Identify, describe and demonstrate a knowledge of the treatment for:

(A) Generalized motor seizure (grand mal)

(B) Focal motor seizure

(C) Psychomotor (temporal lobe) seizure

(D) Petit mal seizure

(E) Febrile seizure;

(xi) Identify which information should be collected when obtaining a history on a patient with seizures;

(xii) Identify the causes, definition and management of status epilepticus;

(xiii) Define stroke (CVA);

(xiv) Identify the potential patients most likely to experience a stroke;

(xv) Identify the potential causes of a stroke and demonstrate a knowledge of the management of the stroke patient;

(xvi) Define and identify the precipitating factors and signs and manage the patient with a transient ischemic attack (TIA).

(d) Techniques of management:

(i) Identify the activities required to perform a check for paralysis in the unconscious patient;

(ii) Demonstrate a knowledge of alternative methods of stabilizing the neck when a cervical collar is not available or cannot be used because of deformities;

(iii) Demonstrate a thorough knowledge of the procedures to use when applying and maintaining traction on a patient with a cervical spine injury;

(iv) Demonstrate a knowledge of handling the multiple injury patient with a cervical spine injury, such as, an unconscious, breathing patient with a cervical spine injury and severe bleeding where direct pressure is not stopping the bleeding;

(v) Identify which equipment is to be used in the immobilization and extrication of the patient with spine and neck injuries;

(vi) Demonstrate a thorough knowledge of the short and long spine boards, collapsible orthopedic stretcher and other adjuncts to the management of the spine injury patient;

(vii) Demonstrate that he is able to perform water rescue of the patient with a suspected cervical spine injury.

(8) Soft tissue injury.

(a) Anatomy and physiology of the skin:

(i) Identify three major functions of the skin and the results of damage to the skin; example given—vulnerability to invasion by bacteria, temperature changes and fluid imbalance;

(ii) Identify common names and describe the function of the varied subsystems of the skin (epidermis, dermis, supporting systems).

(b) Patient assessment:

(i) Identify the significance of the various signs found in examining the skin, to include but not limited to:

(A) Color

(B) Temperature

(C) Moisture

(D) Ecchymosis and hematoma;

(ii) Identify, describe the significance of, and show an ability to manage the patient with an open wound, to include:

(A) Puncture

(B) Abrasion

(C) Incision

(D) Laceration

(E) Avulsion;

(iii) Demonstrate a thorough knowledge of the importance of the control of bleeding, prevention of sepsis and immobilization of the patient with an open wound;

(iv) Demonstrate that he can properly manage the patient with an impaled object;

(v) Demonstrate that he is familiar with the various degrees of burns and be able to correctly identify the percentage of body burn in either a child or an adult;

(vi) Demonstrate a thorough knowledge of the type of sterile dressing required for the various burn patients;

(vii) Demonstrate that he is aware of the information that should be obtained when taking a history from a burn patient;

(viii) Describe what to do when starting an IV on a patient who has both arms completely burned and select the proper solution to administer intravenously to a burn patient;

(ix) Describe the mechanism for, and the impact of, fluid loss in the burned patient, and describe why children and infants are more prone to fluid loss when burned than are adults;

(x) Demonstrate an awareness of the problems associated with hypothermia in the burn patient;

(xi) Demonstrate an ability to compute the proper amount of solution to administer intravenously to a burn patient, given the weight of the patient and the degree of burn;

(xii) Demonstrate an ability to recognize and manage the patient with frostbite;

(xiii) Identify the correct activities to be performed in the case of chemical burns (wet or dry). Specifically, demonstrate the proper treatment for chemical burns with the following agents:

(A) Alkali

(B) Acid

(C) Dry lime

(D) Phenol

(E) Sodium metals;

(xiv) Demonstrate knowledge in how low voltage and high voltage travel through the body;

(xv) Identify the proper management of the patient who has suffered electrocution and/or electrical burns;

(xvi) Identify the effects of both high and low voltage electrocution on the nervous system;

(xvii) Demonstrate a knowledge of the management of the patient with contact burns, flash burns and electrical injuries.

(c) Techniques of management:

(i) Demonstrate a thorough knowledge of dressings and bandages;

(ii) Demonstrate an understanding of arterial, venous and capillary bleeding;

(iii) Demonstrate that he is able to calculate blood loss in a trauma patient;

(iv) Demonstrate a complete knowledge of all of the techniques used to control bleeding;

(v) Recognize those activities to be performed when treating a patient with suspected internal hemorrhage;

(vi) Identify the signs and symptoms associated with internal hemorrhage;

(vii) Identify those situations in which a saline solution should be used to treat a soft tissue injury. These should include digital amputations and avulsions;

(viii) Identify the situations in which impaled objects should be removed;

(ix) Recognize the correct activity and justifications for preserving avulsed parts as in a digital amputation or "glove" avulsion accident.

(d) Special considerations in soft tissue injuries to specific areas:

(i) Demonstrate a knowledge of the various systems and subsystems of the eye, example given:

(A) Retina

(B) Optic nerve

(C) Conjunctiva

(D) Cornea

(E) Lens

(F) Pupil

(G) Iris

(H) Ciliary muscles

(I) Sclera

(J) Vitreous fluid;

(ii) Demonstrate that he is knowledgeable of the mechanism of sight and how light travels through the eye;

- (iii) Describe the signs, symptoms, complaints and management of the patient with an injury to the orbit;
- (iv) Describe how to perform the dressing and bandaging of an impaled object in the eye;
- (v) Identify the importance of locating contact lenses and how and when they should be removed;
- (vi) Demonstrate familiarity with the indications and procedures for flushing the eye in a chemical burn;
- (vii) Demonstrate familiarity with the manifestations and treatment of central retinal artery occlusion, acute glaucoma and retinal detachment;
- (viii) Identify the primary dangers associated with trauma to the mouth and jaws and the management of the impaled object in a patient's cheek;
- (ix) Describe the activities associated with managing temporo-mandibular jaw dislocation;
- (x) Describe the correct activity to be performed when treating a patient for a foreign body in the ear;
- (xi) Identify anterior and posterior epistaxis and the activity required to be performed for their management;
- (xii) Select the activity to be performed when there is a foreign body in the nose or a nasal fracture;
- (xiii) Select the activities to be performed when there is a blunt injury to the neck and there is inadequate ventilation;
- (xiv) Identify and select the activities to be performed when managing a penetrating injury to the neck;
- (xv) Demonstrate a total familiarization with the activities to be performed when managing:
 - (A) Blunt injuries to the abdomen
 - (B) Penetrating injuries to the abdomen
 - (C) Penetrating injuries to the abdomen when there are viscera protruding.
- (9) Musculoskeletal system.
 - (a) Anatomy and physiology:
 - (i) Identify all of the components of the musculoskeletal system;
 - (ii) Describe the functions of all of the components of the musculoskeletal system;
 - (iii) Classify the various bones such as long bone, short bone, flat bone, irregular bone;
 - (iv) Describe the various components of bone such as:
 - (A) Periosteum
 - (B) Marrow
 - (C) Medullary canal
 - (D) Cortical bone
 - (E) Cancellous bone
 - (F) Articular surface
 - (G) Diaphysis
 - (H) Metaphysis;
 - (v) Describe the functions of capsules, synovial membrane, cartilage, ligaments and bone joints;
 - (vi) Demonstrate a working familiarity with muscles and be able to identify those muscles which are voluntary, involuntary and cardiac;
 - (vii) The student will be able to define:
 - (A) Origin of a muscle
 - (B) Insertion of a muscle
 - (C) Tendons.
 - (b) Patient assessment:
 - (i) Match the type of injury, the patient evaluation and history and conclude a probable mechanism such as,

- a fractured hip in an auto accident caused by knees hitting the dashboard—an indirect injury;
- (ii) Demonstrate a competency in gathering a complete patient history on a patient with suspected musculoskeletal trauma, to include, but not be limited to:
 - (A) How the injury occurred
 - (B) The position in which it occurred
 - (C) The location of the pain;
 - (iii) Identify all of the major signs and symptoms that indicate a musculoskeletal injury.
 - (c) Pathophysiology and management:
 - (i) Define, identify and describe the management of all the common open and closed fractures;
 - (ii) Identify the signs and symptoms of a fracture;
 - (iii) Define a dislocation and list the common signs and symptoms of a dislocation;
 - (iv) Define and describe the management of a patient who has suffered a sprain;
 - (v) Identify those signs and symptoms which differentiate between a sprain, a fracture or a dislocation;
 - (vi) Identify the proper treatment for a patient with a muscle strain and identify the definition of a strain.
 - (d) Techniques of management:
 - (i) Demonstrate a thorough and complete knowledge of all available splinting adjuncts and techniques. This will include, though not be limited to:
 - (A) Rigid splint
 - (B) Semi-rigid splint
 - (C) Soft splinting
 - (D) Traction splinting
 - (E) Inflatable bandage splints
 - (F) Vacuum forming splints
 - (G) Common makeshift splints;
 - (ii) Demonstrate a thorough knowledge of the techniques of using sandbags to immobilize the patient in the prehospital emergency.
 - (10) Medical emergencies.
 - (a) Diabetic emergencies:
 - (i) Identify the function of insulin in the body;
 - (ii) Demonstrate a knowledge of:
 - (A) Diabetes mellitus
 - (B) Diabetic ketoacidosis
 - (C) Insulin shock
 - (D) Hyperglycemia
 - (E) Hypoglycemia;
 - (iii) List those various signs, symptoms and vital signs that differ in the hypoglycemic and the hyperglycemic patient;
 - (iv) Demonstrate a complete knowledge of the emergency treatment for the diabetic patient.
 - (b) Anaphylactic reactions:
 - (i) Identify and define "anaphylactic reaction";
 - (ii) Identify the common causes of anaphylactic reaction;
 - (iii) Define:
 - (A) Antigen
 - (B) Antibody;
 - (iv) Identify what happens to the body to cause anaphylactic shock and associated airway obstruction in, for example, asthma;
 - (v) Identify the signs, symptoms and appropriate treatment for anaphylactic reaction;

(vi) Identify the situations for use and dosages of the following listed drugs in the treatment of anaphylaxis:

- (A) Oxygen
- (B) Epinephrine
- (C) Levophed
- (D) Aminophylline
- (E) Hydrocortisone
- (F) Benadryl.

(c) Exposure to environmental extremes:

(i) Identify and describe the signs and symptoms and outline the treatment protocol to be used when managing the following conditions:

- (A) Heat cramps
- (B) Heat exhaustion
- (C) Heat stroke;

(ii) Identify why large amounts of IV fluids should not be administered to the normotensive patient in heat stroke;

(iii) Identify the signs, symptoms and treatment for frostbite and general cooling;

(iv) Identify the causes and manifestations of hypothermia and demonstrate a knowledge of the treatment for hypothermia.

(d) Alcoholism and drug abuse:

(i) Demonstrate a knowledge of the causes and characteristics of alcoholism;

(ii) Identify the signs and symptoms of alcoholic withdrawal syndrome and acute intoxication;

(iii) Define what constitutes "drug abuse";

(iv) Define the following conditions:

- (A) Psychological dependence
- (B) Compulsive drug abuse
- (C) Drug tolerance
- (D) Physical dependence
- (E) Addiction;

(v) Show an above average knowledge of the common street drugs, and be aware of how they affect the physiological systems of the body and how to treat the patient, when the patient has taken a drug in excess;

(vi) Demonstrate a superior knowledge in identifying opiates and other drugs that act as respiratory depressants and be familiar with the appropriate use of Naloxone Hydrochloride.

(e) Poisoning and overdose:

(i) Demonstrate a knowledge of the route of exposure of poisons such as, absorbed, inhaled, ingested and injected;

(ii) Define the difference between poisoning and overdose. When given a description of a patient's vital signs and situation, determine how the poison entered the body and what the course of treatment should be;

(iii) List the various conditions involving ingested poisons where vomiting should not be induced;

(iv) Demonstrate a familiarity with the treatment of the following groups of accidentally ingested poisons:

- (A) Strong acid
- (B) Strong alkali
- (C) Petroleum distillates
- (D) Methyl alcohol
- (E) Toluene;

(v) Demonstrate an understanding of the complications involved in aspirating ingested petroleum products;

(vi) Show an above average understanding of the mechanism of carbon monoxide poisoning and the treatment of carbon monoxide poisoning, and identify the role of hyperbaric oxygen in the treatment of carbon monoxide poisoning;

(vii) Demonstrate an ability to identify all of the common drugs by their street names and to be familiar with the street jargon used by drug abusers;

(viii) Identify the signs, symptoms, classic history and appropriate treatment for the following classification of drugs:

- (A) Hallucinogens
- (B) Narcotics
- (C) Stimulants
- (D) Depressants

(E) Other drugs including aspirin and commonly abused prescription medications;

(ix) Identify the influence of each drug classification on the central nervous system and be able to list its physiological action.

(f) Acute abdomen:

(i) Given a list of the organs, define the primary function of each, the quadrant of the abdomen in which it is located and whether it is a solid or hollow organ;

(ii) Given a description of the patient with a suspected abdominal disorder, recall from memory that information which should be emphasized when gathering a patient history and making physical examination;

(iii) After identifying the major disorders of each of the various organs, recall from memory and list:

- (A) The general appearance of the patient
- (B) Position of the patient
- (C) Expression of pain
- (D) Respiratory rate and use of abdominal muscles during respirations

(E) Obvious distention

(F) Guarding

(G) Sounds to be heard on auscultation

(H) Referred pain;

(iv) Demonstrate a knowledge of the purposes and methods of auscultating the abdomen;

(v) Describe the purpose and the method of palpation of the abdomen;

(vi) Demonstrate that he can specifically identify and properly manage the patient with:

- (A) Peritonitis
- (B) Ruptured aortic aneurysm;

Note: The student should be able to identify those abdominal problems most likely to cause peritonitis in any specific patient.

(vii) Demonstrate an understanding of the necessity for fluid volume replacement in a patient with suspected abdominal disorder.

(g) Genitourinary problems:

(i) Demonstrate a thorough knowledge of the major organs and structures of both the male and female genitourinary systems. These structures will include, but not be limited to:

- (A) Female reproductive system
- (B) Bladder
- (C) Urethra
- (D) Prostate gland

(E) Male reproductive system;
 (ii) Demonstrate a knowledge of the causes and treatment for the most common injuries to the genitalia.

(h) Medical emergencies in the geriatric patient:

(i) Identify those special problems which may be encountered when dealing with the geriatric patient;

(ii) Identify the special problems encountered when performing a physical examination upon the elderly, eliciting a history from an elderly patient suffering from senility and identify how an elderly person may have altered reactions due to the illness;

(iii) After being given a list of vital signs and significant signs and symptoms, demonstrate that he is able to identify these signs and symptoms that are misleading with respect to a correct interpretation of the system. As an example, peripheral edema that may be caused by inactivity rather than right heart failure.

(i) Techniques of management:

(i) Demonstrate a knowledge of the procedures used when the indications for nasogastric insertion are present. Identify those special precautions required when inserting a nasogastric tube in a comatose patient;

(ii) Identify the necessity for catheterization of the urinary bladder and, if taught this as a required skill, be able to demonstrate a total familiarity with the appropriate procedures and precautions.

(11) Related techniques of medical management.

(a) (Optional) Given the following equipment:

(i) An adult 16# French levine tube;

(ii) A child 12# French levine tube;

(iii) Water-soluble lubricant;

(iv) 1" width tape;

(v) Small clamp;

(vi) 50 ml. syringe;

(vii) Cup of water;

(viii) Graduated specimen container.

Demonstrate in a clinical setting or on a human cadaver, the procedure for inserting a Foley catheter in both male and female patients. Demonstrate an ability to continuously measure urinary output.

(b) (Optional) Given a complete commercially manufactured and approved "antishock" pressure suit and a fellow student, demonstrate the methods of application and removal of the suit. All alternative use methods will be demonstrated.

(12) Obstetric/gynecological emergencies.

(a) Anatomy and physiology of the female reproductive system:

(i) Demonstrate a thorough knowledge of the organs and structures of the female reproductive system;

(ii) Demonstrate an in-depth knowledge of the birth cycle, beginning with fertilization and continuing to labor. Describe and understand the functions of the endometrium, placenta and the developing fetus;

(iii) Describe and demonstrate an in-depth knowledge of the three stages of delivery;

(iv) Identify whether the delivery is cephalic or breach and identify other abnormal presentations;

(v) Identify the conditions of:

(A) Toxemia

(B) Placenta abruptia

(C) Placenta previa.

(b) Patient assessment:

(i) Demonstrate a knowledge of the information that should be collected from a pregnant patient;

(ii) Demonstrate an in-depth knowledge of what should be accomplished in the physical examination of the pregnant patient;

(iii) Identify those questions that should be asked when a gynecological problem is suspected;

(iv) Identify those cases, specifically in placenta previa when a physical examination of the vagina should not be conducted;

(v) Demonstrate an ability to identify those activities to perform and how to handle them, when involved in examination of a purported rape victim. Specifically, demonstrate sensitivity to those problems peculiar to the rape victim and identify the limitations of the examination and history gathering. Identify how to contact the responsible agency managing rape relief in the community.

(c) Pathophysiology and management of obstetric emergencies:

(i) Demonstrate a knowledge of abortion. This will include:

(A) Spontaneous

(B) Incomplete

(C) Therapeutic;

(ii) Demonstrate an ability to manage in the field:

(A) Complete abortion

(B) Placenta previa

(C) Abruptio placenta

(D) Ruptured uterus;

(iii) Required to recognize and manage a patient in toxemia;

(iv) Demonstrate a familiarity with the causes and treatment of pulmonary embolism in a pregnant patient;

(v) Demonstrate a total familiarity with what constitutes a secondary survey and be able to identify those situations where the patient should not be transported since eminent birth is possible;

(vi) Describe in detail those steps necessary to prepare a pregnant patient for delivery;

(vii) Identify, in sequence, those steps which should be performed in a normal delivery;

(viii) Identify and show an ability to perform those activities required in the following uncommon abnormal presentations:

(A) When the baby is delivered covered with the embryonic sac intact

(B) When the baby is delivered with the cord wrapped around its neck;

(ix) Describe the activities to be performed when assisting in the delivery of the baby's upper and lower shoulders;

(x) Demonstrate a thorough knowledge of those activities required to perform suction and oxygen administration to the newborn infant;

(xi) Demonstrate the knowledge required to perform the activities of cutting the umbilical cord and what to do if the umbilical cord continues to bleed, once cut;

(xii) Proper procedure for cutting and clamping cord;

- (xiii) Identify those activities which are required to be performed if the placenta is not delivered within thirty minutes after the baby;
- (xiv) Show a familiarity with the complications of breach birth and the potential difficulties confronted in a breach delivery;
- (xv) Demonstrate an ability to describe the presentation of a prolapsed umbilical cord and outline the activities to perform when confronted with it;
- (xvi) Demonstrate a thorough knowledge of the pre-hospital treatment peculiar to the delivery of the premature infant and the activities to perform when confronted with a multiple birth;
- (xvii) Demonstrate an ability to manage post partum bleeding, including the use of uterine contractors, e.g., pitocin.
- (13) Pediatrics and neonatal transport.
- (a) Approach to the pediatric patient:
- (i) Demonstrate the ability to take a history in a pediatric patient and be able to describe the value of using the child as a good source of information;
- (ii) Describe in detail, without the use of notes, the workup and physical assessment of children under three years of age;
- (iii) Demonstrate a knowledge of the various characteristics to be found in children of different ages that are peculiar to their age.
- (b) Pathophysiology and management:
- (i) Given the description of a pediatric patient with an upper airway obstruction caused by a foreign object, describe the procedure for removing the foreign object. Identify how the upper airway in an infant differs from that of an adult;
- (ii) Demonstrate an ability to assess and manage acute asthmatic attack and status asthmaticus in the pediatric patient;
- (iii) Demonstrate an ability to assess, define and manage broncholitis;
- (iv) Demonstrate a knowledge of the definition, causes and management of the pediatric patient suffering from laryngo-tracheobronchitis (croup);
- (v) Demonstrate an above average understanding of epiglottitis and why the child suffering from it is in grave danger;
- (vi) Describe in detail the treatment and precautions for a patient with epiglottitis;
- (vii) Demonstrate a familiarity with the age groups and profiles usually associated with sudden infant death syndrome;
- (viii) Describe the appropriate management for sudden infant death syndrome and be able to identify the appropriate methods of dealing with the parents;
- (ix) Demonstrate a thorough knowledge of seizures in the pediatric and neonatal patient;
- (x) Demonstrate an understanding in recognizing the battered child and sexually molested child. Show the ability to manage the patient and family of the battered and sexually molested child.
- (c) Techniques of management:
- (i) Demonstrate a comprehensive knowledge of airway management and cardiopulmonary resuscitation peculiar to the child and infant;
- (ii) Recall without the benefit of notes, the standard pediatric dosages in either mEq/kg, ml/kg, or mg/kg for the following drugs:
- (A) Sodium bicarbonate
 (B) Epinephrine
 (C) DD Lidocaine
 (D) Calcium chloride;
- (iii) Demonstrate a knowledge of the superficial veins of the scalp and the methods of starting a scalp/vein IV in the infant;
- (iv) Identify those situations in which endotracheal intubation is indicated in the pediatric and neonatal patient and how endotracheal intubation of the infant and child differs from an adult.
- (14) Emergency care of the emotionally disturbed.
- (a) Emotional aspects of illness and injury:
- (i) Identify those causes that might account for abnormal behavior, including, but not limited to:
- (A) Alcohol
 (B) Drugs
 (C) Epilepsy
 (D) Diabetes
 (E) Head injuries
 (F) Arteriosclerosis
 (G) Hypertension
 (H) Severe infection
 (I) Psychiatric problems;
- (ii) Demonstrate an ability to perform those activities that will mitigate anxiety in bystanders;
- (iii) Identify the attitudes and approaches that would have adverse effects on crisis situations in the management of the conditions listed in (i), (A) through (I);
- (iv) Demonstrate a knowledge of those techniques required to maintain control in a mass casualty situation.
- (b) Patient assessment:
- (i) Identify the reasons that emotionally disturbed patients have an immediate need for reassurance and describe how this reassurance should be provided;
- (ii) Demonstrate an ability to select the types of information that should be a part of a systematic system of gathering information from a disturbed patient;
- (iii) Required to demonstrate an ability to select those techniques which should be used in obtaining patient assessment information;
- (iv) Correctly identify the procedures to be used when confronted with an emotionally disturbed patient who is noncombative;
- (v) Demonstrate indications and appropriate use of restraints.
- (c) Psychiatric emergencies:
- (i) Identify the behaviors and direct and indirect methods of communicating with and managing the following psychiatric emergencies:
- (A) Severe depression
 (B) The patient communicating suicidal behavior
 (C) The psychiatric patient demonstrating rage, hostility and violent behavior
 (D) Paranoia
 (E) Hysterical reaction from organic illness
 (F) Hysterical conversion reaction;
- (ii) Identify common phobias and outline the field management of the patient with a severe phobia.

(15) Telemetry and communications.

(a) Demonstrate a thorough knowledge of Federal Communication Commission rules that relate to emergency medical services communications and telemetry:

(b) Demonstrate a thorough knowledge of standard operating procedures for the communications systems with which the paramedic is required to work;

(c) Outline and identify the protocols and methodology for the biotelemetry utilized in the paramedic's provider area;

(d) Demonstrate an ability to complete a standard reporting form in a manner that properly relays patient assessment information to a physician;

(e) Demonstrate a knowledge of the proper operation and maintenance of all radio recording and telemetry equipment described during training or provided for use.

(16) Rescue techniques.

(17) To maintain a qualification as a physician's trained mobile intensive care paramedic, the individual provider shall perform those skill maintenance for the paramedic to include fifty hours of approved continuing education annually which will include WAC 248-15-040(6), fifteen hours of approved continuing education each year, and WAC 248-15-050(5)(a)(v), fifteen hours of approved continuing education each year.

Standards under this topic include all basic rescue skills common to the EMT-A. Specific skills will depend on local options and agency standards. The student should gain field experience consistent with his agency. He should have full knowledge of how to summon those rescue skills he does not possess.

NEW SECTION

WAC 248-15-070 TESTING. Testing will occur periodically throughout the course. Each student shall demonstrate knowledge objectives on a written examination approved by the department or the University of Washington's School of Medicine. In addition, each student will be required to demonstrate proficiency by a practical examination. On completion of the course, the student will be able to display knowledge of topics on written examination. Successful performance will be defined as correctly responding to eighty percent average of the items appearing on the examination. The student will not be permitted to use any materials or notes during the examination. For those standards involving recognition, the student will be required to recognize the specific term, definition or procedural step(s) from a group of terms, definitions or procedural steps presented to him. Recall involves the student expressing the term, definition or procedural step(s) either orally or in writing, without the presence of any cues.

After attending the lecture and demonstrations and given a opportunity to practice the involved skills, perform each of the skill standards in the presence of the instructor and without the use of notes, diagrams or charts. Correct performance will be defined by the instructor during the lecture and demonstration sessions. The student will be given no more than three attempts to successfully perform each of the required steps in the proper sequence.

NEW SECTION

WAC 248-15-080 CERTIFICATION AND RE-CERTIFICATION. (1) Certification as a physician's trained mobile intravenous therapy technician, physician's trained mobile airway management technician or physician's trained mobile intensive care paramedic shall be for two years and shall be based on successfully completing the course(s) and exam as approved by the University of Washington or the department and being recommended for such certification by the approved licensed program director. Such recommendation shall be in writing and will include the name and address of the individual being recommended. The effective date of certification shall be the date of the letter of recommendation. The expiration date will be the last date of the month, two years following certification.

(2) Recertification will be based on successful completion of the following:

(a) Maintaining the skill according to the skill standards delineated in this chapter for the appropriate skill requirement as documented by the approved licensed program director.

(b) Successfully passing such written, oral and/or practical recertification examinations as approved by the department or the University of Washington School of Medicine.

(c) Written recommendation from the approved training physician.

Recertification shall be for two years and shall be effective from the date of the letter of recommendation from the approved program director.

NEW SECTION

WAC 248-15-090 RECIPROCITY AND CHALLENGES. (1) All requests for reciprocity and challenges will be considered on an individual basis.

(2) Individuals requesting reciprocity shall have all prior certifications, transcripts and allied documents available for review by the department.

(3) The decision to grant reciprocity shall be based on equivalency of academic and clinical training and field experience as set forth in this chapter.

(4) Individuals requesting challenge examinations must submit proof of equivalent training or experience prior to being admitted to the examination. Examinations will be the same as for graduates of full-time training programs.

(5) Entrance into a challenge examination will be by recommendation of an approved training physician.

NEW SECTION

WAC 248-15-100 REVOCATION, SUSPENSION OR MODIFICATION OF CERTIFICATE. Grounds for revocation or suspension of a physician's trained mobile intravenous therapy technician, physician's trained mobile airway management technician or physician's trained mobile intensive care paramedic include but are not limited to proof that such certified individual:

(1) Has been guilty of misrepresentation in obtaining the certificate;

(2) Has engaged or attempted to engage in, or represented himself/herself as entitled to perform any service not authorized by the certificate;

(3) Has demonstrated incompetence or has shown himself/herself otherwise unable to provide adequate service;

(4) Has violated or aided and abetted in the violation of any provision of chapter 18.73 RCW or the rules and regulations promulgated thereunder;

(5) Has demonstrated unprofessional conduct in the course of providing services as determined by the department or the University of Washington School of Medicine;

(6) Has failed to maintain skills.

NEW SECTION

WAC 248-15-110 APPEAL, REVOCATION, SUSPENSION OR MODIFICATION OF CERTIFICATE. (1) No certificate issued pursuant to this chapter shall be revoked or suspended without formal written notification to the respondent from the department. Such written notification shall state the cause of the revocation or suspension and shall advise the respondent of the right to appeal the revocation or suspension.

(2) Revocation or suspension shall become final thirty days following the date of the mailing of such notice: PROVIDED, That the applicant or holder of the certificate does not within thirty days from the date of mailing of the department's order to revocation or suspension, make written application to the department for a hearing. Upon receipt of a written application for a hearing, the department shall proceed to conduct a hearing in accordance with the requirements of the Administrative Procedure Act, chapter 34.04 RCW and the rules of practice and procedure issued by the department thereunder. Mailing of notices under this section shall be by registered mail.

JL **WSR 78-09-056**

ADOPTED RULES

DEPARTMENT OF LABOR AND INDUSTRIES

(Washington State)

Apprenticeship and Training Council

[Order 78-13—Filed August 22, 1978]

Be it resolved by the Washington State Apprenticeship and Training Council acting at Port Angeles, Washington, that it does promulgate and adopt the annexed rules relating to reciprocity among apprenticeship programs and standards of employers and unions in other than the building and construction industry which jointly form a sponsoring agency on a multi-state basis.

This action is shall taken pursuant to Notice No. WSR 78-06-012 filed with the code reviser on 6/12/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 49.04.010 which directs that the Washington State Apprenticeship and Training Council has authority to implement the

provisions of Washington State Apprenticeship Act, chapter 49.04 RCW.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED July 20, 1978.

By Hideo Naganawa
Chairman

NEW SECTION

WAC 296-04-275 RECIPROCITY. Apprenticeship programs and standards of employers and unions in other than the building and construction industry, which jointly form a sponsoring entity on a multistate basis and are registered pursuant to all requirements of Title 29 Code of Federal Regulations, Part 29, as adopted February 15, 1977 by any recognized State Apprenticeship Agency/Council or by the Bureau of Apprenticeship and Training, U. S. Department of Labor, may be accorded approval reciprocity by the Washington State Apprenticeship and Training Council, if such reciprocity is requested by the sponsoring entity.

JL **WSR 78-09-057**

ADOPTED RULES

BOARD OF PILOTAGE COMMISSIONERS

[Order 78-2, Resolution 78-2—Filed August 23, 1978]

Be it resolved by the Board of Pilotage Commissioners, acting at Pier 52, Seattle, WA 98104, that it does promulgate and adopt the annexed rules relating to WAC sections 296-11-001, 296-11-003, 296-116-020 296-116-030, 296-116-040, 296-116-060, 296-116-070 and 296-116-205 relating to general rules, index to documents, meetings of the board, quorum, board personnel, fees, and vessel certification.

This action is shall taken pursuant to Notice No. WSR 78-07-032 filed with the code reviser on 6/21/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 88.16.155 and is intended to administratively implement that statute.

This rule is promulgated pursuant to RCW 88.16.035 which directs that the Board of Pilotage Commissioners has authority to implement the provisions of chapter 88-16 RCW.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 10, 1978.
By Richard A. Berg
Chairman

AMENDATORY SECTION (Amending Order 268,
filed 11/1/68.)

WAC 296-11-001 GENERAL RULE AND INFORMATION. The ((chairman)) Chairperson of the board of pilotage commissioners is the ((director of the department of labor and industries)) secretary of transportation of the state of Washington or the secretary's designee. Information regarding the pilotage act, complaints and other matters coming under the provisions of the pilotage act and the board's rules and regulations may be ((handled)) obtained by contacting the ((director)) chairperson or the board's secretary in person or in writing at the ((department of labor and industries)) office of the board of pilotage commissioners, Pier 52, ((Olympia)) Seattle, Washington 98104. All public documents in the custody of the board may be obtained upon request made to the chairperson of the board of pilotage commissioners, Pier 52, Seattle, Washington 98104.

Any matter filed with the ((director)) chairperson and/or the secretary will be brought to the attention of the board at its next regular meeting, the date of which is the first Thursday of each month. Persons desiring to do so may also attend the board meetings, which are held ((in the)) at Pier 52, Seattle, Washington ((offices of the department of labor and industries)).

The purpose and scope of activity of the board of pilotage commissioners is set out in chapter 88.16 RCW and is as follows:

Scope: (1) Puget Sound ((and adjacent inland waters)) pilotage district.

(2) Grays Harbor and Willapa Bay pilotage district.

Purpose: (1) ((Protection of shipping and safety of human life.

(2) Maintain efficient and competent pilotage service.

(3) Examining proficiency of potential pilots.

(4) Licensing pilots.

(5) Regulating pilots.

(6) Enforcing use of pilots.

(7) Compensation of pilots.

(8) Record monies earned by pilots, vessels piloted and mileage piloted.

(9) Receive and investigate reports of accidents.

((10) Hold hearings on complaints of misconduct or negligence of pilots, nonpayment of pilotage fees, nonuse of pilots when required or such other violations of the pilotage act as may be filed by interested parties.)) The purpose of the board of pilotage commissioners is to prevent the loss of human lives, loss of property and vessels and to protect the marine environment by maintenance of a competent and efficient pilotage service on the state's waters. To accomplish this end the board examines proficiency of potential pilots, licenses pilots, regulates pilots, enforces the use of pilots, sets pilotage rates, receives and investigates reports of accidents involving pilots, keeps records of various matters affecting pilotage and fulfills other responsibilities enumerated in chapter 88.16 RCW.

NEW SECTION

WAC 296-11-003 INDEX TO DOCUMENTS. The board of pilotage commissioners finds that the preparation and maintenance of an index to documents as required by RCW 42.17.260 would be unduly burdensome. Therefore, such an index will not be maintained. This undue burden is caused by the fact that the board of pilotage commissioners is a small agency of the state of Washington operating with a limited amount of financial resources. Because of the agency's size, its records are organized in an effective and straightforward manner which renders them accessible to the general public without resort to an index as envisioned in RCW 42.17.260. All indexes which are maintained for agency use will be available for public inspection.

AMENDATORY SECTION (Amending Order 268,
filed 11/1/68)

WAC 296-116-010 TIME AND PLACE OF MEETING. The regular monthly meeting of the board of pilotage commissioners shall be ((held)) on the ((first)) second Thursday of each month at ((10:00)) 9:00 a.m. at ((the Seattle office of the department of labor and industries)) Pier 52, Seattle, Washington in the offices of the Washington state ferries unless another time and place has been designated by the ((chairman)) chairperson at the last previous meeting. If the aforementioned day falls on a holiday, the meeting shall take place on the following Thursday at the same hour.

AMENDATORY SECTION (Amending Order 268,
filed 11/1/68)

WAC 296-116-020 SPECIAL MEETING. A special meeting of the board of pilotage commissioners may be called by the ((chairman)) chairperson, or by any two members of the board, by serving notice, in writing, upon all other members of the board not less than five days prior to the meeting date. The notice calling a special meeting shall state the purpose for which the meeting is called and the date, hour and place of such meeting and shall be in conformance with the provisions of chapter 42.30 RCW.

AMENDATORY SECTION (Amending Order 268,
filed 11/1/68)

WAC 296-116-030 EMERGENCY MEETING. An emergency meeting may be called by the ((chairman)) chairperson, or by any two members of the board without notification whenever an accident of any importance, such as stranding, collision or the like, shall occur to any vessel while utilizing the services of a state licensed pilot, for the purpose of making an investigation into the cause of such accident. The findings of such an emergency meeting shall be submitted to the board for appropriate action at the next regular monthly meeting.

AMENDATORY SECTION (Amending Order 268,
filed 11/1/68)

WAC 296-116-040 QUORUM DEFINED. ((Three)) Five members of the board((, one of whom

~~shall be the chairman, or duly appointed acting chairman, and one industry member and one pilot member) shall constitute a quorum ((for the transaction of business and no business shall be transacted by the board, at any meeting, unless a quorum be present)).~~

AMENDATORY SECTION (Amending Order 268, filed 11/1/68)

WAC 296-116-060 PERSONNEL. The board shall employ the necessary personnel for the conduct of its business following the personnel practices and salary schedules of the ((department of labor and industries)) Washington state ferries.

AMENDATORY SECTION (Amending Order 268, filed 11/1/68)

WAC 296-116-070 COLLECTION OF FEES. The board of pilotage commissioners shall receive all fees for licenses or for other purposes and make proper accounting of same and transmit all such ((fees or other moneys)) funds to the ((department of labor and industries for deposit to the credit of the)) pilotage ((fund)) account.

NEW SECTION

WAC 296-116-205 VESSEL CERTIFICATION. (1) Upon boarding a vessel in the Puget Sound or Grays Harbor and Willapa Bay pilotage district, a pilot shall request on the form provided in WAC 296-116-2051 that the master of the vessel certify that: (a) the engine room is properly staffed, able to maneuver, and all related equipment is in good order; (b) there are no defects listed against the ship by the United States Coast Guard which would prevent it from sailing; (c) the vessel is not leaking oil; (d) the vessel is experiencing no propulsion or maneuvering difficulties.

If the master is unable to certify that all of the above conditions are met, he shall be asked to certify that the United States Coast Guard captain of the port has been notified of said deficiencies and has authorized the vessel to proceed.

If the master is unable or unwilling to certify that either of the above are the case, the pilot shall not offer pilotage services to said vessel. Instead, the pilot shall disembark from the vessel as soon as practicable, immediately inform the captain of the port of the conditions and circumstances by the best possible means and forward a written report to the board of pilotage commissioners no later than 24 hours after disembarking from the vessel. Any Washington licensed pilot who offers pilotage services to a vessel on which the master has failed to make a certification required by this section shall be subject to the penalties provided in RCW 88.16.100 and 88.16.150.

(2) Upon boarding vessels in either the Puget Sound pilotage district or the Grays Harbor and Willapa Bay pilotage district, the pilot shall also request to see the vessel's SOLAS certificate, Federal Maritime Commission certificate of financial responsibility and the vessel's hazardous cargo manifest.

The pilot shall also inspect the following of the ship's equipment and conditions and indicate their suitability:

VHF radio, channels 13, 14; radar; gyrocompass; rudder angle indicator; fathometer; whistle; magnetic compass/deviation tables; wheelhouse staffed by an officer and helmsman, one of whom speaks English; local, up-to-date charts; and wheelhouse to engine room communications.

(3) The form appearing in WAC 296-116-2051 shall be used by pilots and masters in complying with the above requirements.

(4) Forms completed by masters and pilots which indicate that the vessel is in compliance and non deficient shall be forwarded to the offices of the Board of Pilotage Commissioners where they will be retained for a period of at least six months. Forms indicating a vessel not in compliance or deficient and forms upon which either the master or the pilot have failed to make the required certification shall be forwarded to the Board of Pilotage Commissioners and retained for a period of at least twelve months.

NEW SECTION

WAC 296-116-2051 VESSEL CERTIFICATION FORM

Washington State Board of Pilotage Commissioners

READINESS REQUIREMENT CHECK LIST

Date:

Vessel Name:

Registry No.:

MASTER'S CERTIFICATION – VESSEL IN COMPLIANCE

I,, Master of the above-named vessel, certify the following indicated information:

- The engine room is properly staffed, the engine is able to maneuver, and all related equipment is in good order.
- There are no defects listed against this ship by the U. S. Coast Guard, which would prevent it from sailing.
- This vessel is not leaking oil.
- This vessel is experiencing no propulsion or maneuvering difficulties.

Date

Master's Signature

MASTER'S CERTIFICATION – VESSEL NOT IN COMPLIANCE

I, Master of the above-named vessel am unable to certify this vessel's compliance with the following of the above-listed requirements:

I do certify, however, that the U. S. Coast Guard captain of the port has been notified of such conditions and has authorized the vessel to proceed.

Date _____ Master's Signature _____

PILOT'S CERTIFICATION

I, Puget Sound Pilot, certify that upon boarding the above-named vessel on this date:

- 1) I requested to see the following certificates:

<u>Certificate</u>	<u>Acceptable</u>	<u>Not Readily Available or Unacceptable</u>
SOLAS Certificate	<input type="checkbox"/>	<input type="checkbox"/>
FMC Certificate of Financial Responsibility	<input type="checkbox"/>	<input type="checkbox"/>
Hazardous Cargo Manifest	<input type="checkbox"/>	<input type="checkbox"/>

- 2) I inspected the ship's equipment and conditions listed below and found them to be as indicated:

<u>Equipment</u>	<u>Acceptable</u>	<u>Deficient</u>
VHF Radio, Channels 13, 14	<input type="checkbox"/>	<input type="checkbox"/>
Radar	<input type="checkbox"/>	<input type="checkbox"/>
Gyrocompass	<input type="checkbox"/>	<input type="checkbox"/>
Rudder Angle Indicator	<input type="checkbox"/>	<input type="checkbox"/>
Fathometer	<input type="checkbox"/>	<input type="checkbox"/>
Whistle	<input type="checkbox"/>	<input type="checkbox"/>
Magnetic Compass/Deviation Tables	<input type="checkbox"/>	<input type="checkbox"/>
Wheelhouse staffed by officer and helmsman, one of whom speaks English	<input type="checkbox"/>	<input type="checkbox"/>
Local, up-to-date charts	<input type="checkbox"/>	<input type="checkbox"/>
Wheelhouse to engine room communications	<input type="checkbox"/>	<input type="checkbox"/>

- 3) I have informed the Coast Guard Captain of the Port via VTS of any deficiencies noted above.

Date _____ Pilot's Signature _____

✓ WSR 78-09-058

ADOPTED RULES

WALLA WALLA COMMUNITY COLLEGE
[Order 35, Resolution 79-1—Filed August 23, 1978]

Be it resolved by the board of trustees of the Community College District No. 20 (Walla Walla Community College), acting at Walla Walla, Washington, that it does promulgate and adopt the annexed rules relating to constitution and bylaws of the associated students of Walla Walla Community College, amending chapter 132T-104 WAC.

This action is taken pursuant to Notice No. WSR 78-07-031 filed with the code reviser on 6/16/78. Such rules shall take effect pursuant to RCW 28B.19.050(2).

This rule is promulgated under the general rule-making authority of the Community College District No. 20 (Walla Walla Community College) as authorized in chapters 28B.50 and 28B.10 RCW.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 17, 1978.

By Eldon J. Dietrich
President

COMMUNITY COLLEGE DISTRICT NO. 20
WALLA WALLA COMMUNITY COLLEGE

Chapter 132T-104 WAC
CONSTITUTION AND BYLAWS OF THE ASSOCIATED STUDENTS OF WALLA WALLA COMMUNITY COLLEGE

NEW SECTION

WAC 132T-104-010 CONSTITUTION AND PURPOSE. We, the associated students of Walla Walla Community College, in order to bring about in the students an appreciation and understanding of democratic values and processes through participation in student government and to develop in the students free expression and a realization of his rights; to provide a means to bring and interpret student attitudes and opinions to the teaching faculty and the college administration and further to provide a means whereby adult social responsibilities can be developed in the students by a maximum of self-control and self-direction in all areas of student

life, do hereby adopt and establish the following constitution.

Reviser's Note: The above section purports to be new; however it has existed under the WAC number shown since its adoption in 1973. No changes have been shown in the style required by WAC 1-13-130, but the text may be at variance with the previously codified version of the section.

AMENDATORY SECTION (Amending Order 76-1, filed 8/28/75)

WAC 132T-104-020 THE ASSOCIATED STUDENTS. The government organization of the students of Walla Walla Community College shall be known as the Associated Students of Walla Walla Community College. Words and phrases used herein in the masculine gender shall include the masculine and feminine genders.

AMENDATORY SECTION (Amending Order 76-1, filed 8/28/75)

WAC 132T-104-030 LEGISLATIVE BODY OF ASSOCIATED STUDENTS OF WALLA WALLA COMMUNITY COLLEGE. (1) The legislative authority of the associated students shall be vested in the associated student senate.

(2) The voting members of the associated student senate shall be the executive vice-president, activities vice-president, business vice-president, and the publicity vice-president of the associated students; senators and representatives from other segments of the ((A.S.B.)) Associated Student Body as recognized and defined by the associated student senate. The president shall vote in the occurrence of a tie.

(3) Candidates for associated student senate ((and representatives)) shall be members of the associated students, shall be full-time students while in office, and shall have a cumulative average of 2.0 at the time of nomination.

(4) Each ((representative)) voting member shall be entitled to only one seat at any associated student senate meeting.

(5) Impeachment:

(a) An impeachment measure may be moved against any member of the associated student senate by petition of two-fifths (2/5) of the membership of the associated student senate. Conviction shall require two-thirds (2/3) of the tabulated vote of the associated student body.

(b) An impeachment measure moved against any member shall disqualify him from participation in voting in his impeachment proceedings.

(c) The impeachment hearing must be held within one (1) week of the passage of the motion for impeachment.

((((6)) Vacancies occurring in an associated student senate position may be filled by an appointee of the group to be represented by the vacant position until the time of an election in the representative group. This election shall be held not later than four (4) weeks after the vacancy occurs and the person elected shall permanently fill the vacancy.))

((((7)) (6) The associated student senate shall have the power to initiate and amend the associated student judicial code. Other duties and regulations of the legislature shall be set forth in the by-laws.

AMENDATORY SECTION (Amending Order 76-1, filed 8/28/75)

WAC 132T-104-040 EXECUTIVE BODY OF ASSOCIATED STUDENTS OF WALLA WALLA COMMUNITY COLLEGE. (1) The executive authority of the associated student body shall be vested in the offices of president, executive vice-president, activities vice-president, business vice-president, and publicity vice-president.

(2) Candidates for the offices of president, executive vice-president, activities vice-president, and business vice-president shall be members of the associated students, shall have completed one (1) quarter in residence at the time of nomination, shall have and maintain a minimum cumulative grade point average of 2.0, and shall have completed a minimum of ((24)) twenty-four (24) credit hours at the time of nomination, except the candidate of president, who shall have completed a minimum of ((36)) thirty-six (36) credit hours at the end of the spring quarter of his nomination.

((The candidates for the office of business vice-president shall be screened by the student senate and then by the administration prior to the primary elections.)) Candidates for the offices of the associated student body executive council shall file their names in the associated student body office within the first two (2) weeks of spring quarter.

((((4)) Candidates for the offices of the associated student body executive council shall file their names with the associated student secretary within the first week of spring quarter.))

((((5)) (4) Offices shall be filled by the associated student body through a primary and final election.

(a) A primary shall be held for any office that has three or more candidates. The primary election shall be held during the fourth week of the spring quarter.

(b) The two candidates receiving the most votes in the primary election for an office shall be candidates for the office in the final election.

(c) The general (final) election shall be held two (2) weeks following the primary election.

(d) The candidates receiving the most votes for an office shall be considered elected to that office in the final election. In case of a tie, a run-off shall take place not earlier than five (5) days and not later than seven (7) days after the final election.

(e) The officers of the executive council shall hold office from the end of spring quarter to the end of the following spring quarter.

((((6)) (5) Members of the associated student executive council shall not hold any other office in clubs or classes.

((((7)) (6) Vacancies occurring in the executive council shall be filled by an associated student election not later than four (4) weeks after such vacancy occurs or by appointment of executive council with the approval of the associated student senate. The election of a candidate to fill the vacancy will be by majority vote.

((((8)) (7) The duties and regulations of the executive council shall be set forth in the by-laws.

AMENDATORY SECTION (Amending Order 76-1, filed 8/28/75)

WAC 132T-104-050 JUDICIAL FUNCTION OF ASSOCIATED STUDENTS OF WALLA WALLA COMMUNITY COLLEGE. (1) The judicial authority of the associated student body shall be vested in the judicial board of justice and the presiding appellate court.

(2) The judicial board shall have the power of final review over all actions arising under this constitution.

(a) The judicial board shall consist of the chief justice and four (4) associate justices.

(b) The chief justice shall be appointed annually ((from the members of the judicial board)) by the executive council with the consent of the associated student senate.

(c) An impeachment measure may be brought against an associate justice or chief justice by a petition signed by ((+00)) one hundred (100) members of the associated student body of Walla Walla Community College, or by a majority vote of the associated student senate.

(d) The ((associate justices)) judicial board shall be appointed by the executive council with the consent of the associated student senate ((for the remainder of their college careers at Walla Walla Community College)) and shall possess the same qualifications as stated in WAC 132T-104-030(3), and shall be subject to impeachment. The associate justices shall be appointed by the chief justice and approved by the student senate, and will be appointed only in the event of student appeal.

(e) The judicial board of justice shall have original jurisdiction over disciplinary cases.

(3) The appellate court will be an appeal court for those found guilty by the judicial board.

(a) The appellate court will handle any cases involving suspension of students or student-faculty relations.

(b) The appellate court shall consist of three (3) students and four (4) faculty members. The student members shall be appointed by the executive council and approved by the student senate. A faculty member shall be the presiding justice and shall vote only in the occurrence of a tie. The college president shall nominate six (6) faculty members to serve on the appellate court. Of these, the student senate will choose four (4) to serve on the appellate court.

(c) The appellate court shall refer all cases to the college president, and he shall have the power to reverse the decisions of the appellate court.

NEW SECTION

WAC 132T-104-060 INITIATIVE, REFERENDUM, AND RECALL. (1) The associated students shall have the right of initiative and recall and shall have the right of referendum.

(2) The procedure of initiative, referendum, and recall shall be set forth in the by-laws.

Reviser's Note: The above section purports to be new; however it has existed under the WAC number shown since its adoption in 1973. No changes have been shown in the style required by WAC 1-13-130, but the text may be at variance with the previously codified version of the section.

AMENDATORY SECTION (Amending Order 76-1, filed 8/28/75)

WAC 132T-104-070 STANDING COMMITTEES. (1) The standing committees of the associated students shall be ((designated by)) registered in the by-laws. The by-laws shall also set forth the purpose and membership of such committees.

(2) Committee membership shall be filled ((annually)) by appointments of the executive council subject to ratification by the associated student senate by a majority vote.

(3) Appointees to standing committees and the student membership of joint committees shall possess the same qualifications as set forth in WAC 132T-104-030(3), provided that, the freshman members of the ((elections, legislative action, activities promotion, homecoming, finance, and academic affairs)) standing committees shall not be bound by such qualifications.

(4) The standing committees and the student membership of joint committees shall be responsible to the associated student senate and shall be administered by the executive council.

NEW SECTION

WAC 132T-104-080 AMENDMENTS. (1) Amendments to this constitution and by-laws shall be proposed by either a majority of the student senate or by a petition presented to the associated student secretary containing the valid signatures of at least ten percent (10%) of the members of the associated student body.

(2) The constitution shall be amended by a majority of the votes cast by the members of the associated students who vote in an election and the approval of the Board of Trustees of Walla Walla Community College.

(3) The by-laws shall be amended by a two-thirds (2/3) majority of the associated student senate and shall then be referred to the associated student body to be passed by a majority vote of the associated students who vote in an election and the approval of the Board of Trustees of Walla Walla Community College.

(4) A proposed constitutional amendment or amendment of the by-laws shall be submitted to an election within four (4) weeks after its proposal or presentation.

(5) Approved constitutional amendments and by-laws shall be incorporated into this constitution and the by-laws to which they refer.

Reviser's Note: The above section purports to be new; however it has existed under the WAC number shown since its adoption in 1973. No changes have been shown in the style required by WAC 1-13-130, but the text may be at variance with the previously codified version of the section.

NEW SECTION

WAC 132T-104-090 CONSTITUTIONAL PRECEDENCE. The provisions of this constitution shall govern all charters and constitutions of student organizations of this college and shall take precedence over them in case of conflict. This constitution shall become effective upon adoption by the members of the associated student body and shall supersede all previous associated student constitutions. All standing orders,

associated student council recognized constitutions, or legislation of any type in conflict with this constitution shall be void upon adoption by the associated student body.

Reviser's Note: The above section purports to be new; however it has existed under the WAC number shown since its adoption in 1973. No changes have been shown in the style required by WAC 1-13-130, but the text may be at variance with the previously codified version of the section.

NEW SECTION

WAC 132T-104-100 PARLIAMENTARY AUTHORITY. (1) The parliamentary authority of this organization shall be the most current revision of Robert's Rules of Parliamentary Procedure, except in such cases as are covered by the by-laws of this constitution or by special rules adopted by the associated student body.

(2) All meetings of all organizations and agencies established by this constitution shall be conducted under Robert's Rules of Parliamentary Procedure.

(3) All Student government meetings will be conducted by parliamentary procedure. A parliamentarian may be present at all meetings. The president of the associated student body may appoint a parliamentarian pro-tem in the absence of the parliamentarian.

(4) Parliamentarian for student senate is chief justice of our student court. The parliamentarian (chief justice) does not have a vote in student senate. He is required to attend all student senate meetings.

Reviser's Note: The above section purports to be new; however it has existed under the WAC number shown since its adoption in 1973. No changes have been shown in the style required by WAC 1-13-130, but the text may be at variance with the previously codified version of the section.

AMENDATORY SECTION (Amending Order 76-1, filed 8/28/75)

WAC 132T-104-110 ALLOCATION OF MONEY. (1) ((The associated student body president and the business vice-president may allocate expenditures of amounts up to twenty-five (25) dollars.)) Each associated student body-sponsored activity shall submit a budget to the finance committee spring quarter. The committee shall then appropriate the amount they (finance committee) deem necessary for the activity to function during the next year. They can then spend this money as the club and/or advisor see fit as long as state, college, and associated student body guidelines are followed. Complete monthly financial reports must be made to the student senate to keep them informed of group activities. All paper work regarding expenditures must be presented to the Activities Director for his signature well in advance of the event.

(2) ((The executive council of the associated student body may authorize expenditures of amounts up to one hundred (100) dollars.)) Requests for money must be put in writing and presented to the business vice-president, giving a detailed breakdown of what the money is to be spent for before any expenditures shall be authorized.

(3) ((Authorizations for expenditures of amounts over one hundred (100) dollars must come from the associated student senate.)) Nonfunded activities and all other expenditures shall follow the prescribed associated student body procedures.

(4) ((Each club shall submit a budget to the finance committee spring quarter. The committee shall then appropriate the amount they (finance committee) deem necessary for the club to function during the next year.)) The associated student body president and the business vice-president may allocate expenditures of amounts up to twenty-five (25) dollars.

(5) ((Requests for money exceeding twenty-five (25) dollars must be put in writing and presented to the business vice-president giving a detailed breakdown of what the money is to be spent for before any money is to be allocated.)) The executive council of the associated student body may authorize expenditures of amounts up to one hundred (100) dollars.

(6) ((Authorizations for expenditures of amounts over one hundred fifty (150) dollars require a two-thirds (2/3) majority vote of the student senate.)) Authorizations for expenditures of amounts over one hundred (100) dollars must come from the associated student senate with a two-thirds (2/3) majority vote.

(7) Authorization for expenditures of amounts over one hundred (100) dollars will be automatically tabled for one week. ((If extenuating circumstances arrive, student senate may move to an immediate vote on the authorization. This motion requires all present members of student senate and the chair to agree that an immediate vote is necessary. If there is even 1 vote in opposition the motion fails.))

AMENDATORY SECTION (Amending Order 76-1, filed 8/28/75)

WAC 132T-104-120 WALLA WALLA COMMUNITY COLLEGE CLUBS AND ORGANIZATIONS. (1) Each club, which has been approved by the associated student senate, shall have one (1) voting seat in the associated student senate, providing the club has ten (10) active members.

(2) Each club will be required to have a constitution. A faculty advisor is not required, but advised.

(3) Any new club wishing to have a voting seat in the student senate is required to have been in existence (active) for a minimum of five (5) successive weeks((:-)), including attendance at five (5) successive associated student body meetings.

(4) All monies which have been allocated and spent by a club shall be accounted for in a written report to be submitted to the executive council no later than two (2) weeks after the expenditures have occurred.

(5) Missing three (3) associated student body student senate meetings in one (1) quarter forfeits all voting rights, as well as ability to spend associated student body monies until five (5) successive meetings have been attended.

AMENDATORY SECTION (Amending Order 76-1, filed 8/28/75)

WAC 132T-104-121 CORP. (1) The executive vice-president of Walla Walla Community College shall represent the associated students of Walla Walla Community College in CORP (Council of Representatives and Presidents). The associated student body president or president's appointee will be Walla Walla Community College's alternate representative.

(2) The Executive Council may appoint with student senate approval an individual to keep correspondence and/or generally abreast of what the organization is doing. The appointed individual may never vote or state what stand our campus has on any issue unless two-thirds (2/3) of the student senate give their express approval. This may never be broad voting powers, but only on specific items to be decided on by CORP where our vote and/or opinion is desired.

AMENDATORY SECTION (Amending Order 76-1, filed 8/28/75)

WAC 132T-104-130 COMPENSATION FOR OFFICERS OF THE WALLA WALLA COMMUNITY COLLEGE ASSOCIATED STUDENT BODY. (1) The associated student body officers (executive council) shall receive full tuition and thirty (30) dollars books per quarter.

(2) At the end of every quarter the executive council and the ((A.S.B.)) associated student body advisor shall meet to determine the job done by sophomore and freshman senators and cheerleaders. This will be a closed meeting. The ((E))executive council may make the following recommendations.

- (a) Changes in specific jobs.
- (b) Having individuals switch jobs.
- (c) Requesting that a student senator resign.
- (d) Reimburse a student senator for ((+2)) one-half (1/2) of the last quarter's in-state tuition. (((\$41.50)))
- (e) Recommend students or student for Outstanding Student for the past quarter.

(3) The ((E))executive council's recommendations shall be printed in the weekly bulletin prior to the student senate meeting where action on said recommendation is to be ((made)) taken. Students under section (d) must turn into the student senate a summary form of what they did ((for)) the preceeding quarter before they are eligible to receive ((their)) money.

(4) Candidates that are selected by the executive council must be ratified by a vote of two-thirds (2/3) majority of student senate.

NEW SECTION

WAC 132T-104-200 BY-LAWS. WAC 132T-104-210 through WAC 132T-104-280 now or as hereafter amended are hereby declared to be the by-laws of this constitution.

Reviser's Note: The above section purports to be new; however it has existed under the WAC number shown since its adoption in 1973. No changes have been shown in the style required by WAC 1-13-130, but the text may be at variance with the previously codified version of the section.

AMENDATORY SECTION (Amending Order 76-1, filed 8/28/75)

WAC 132T-104-210 DUTIES OF OFFICERS OF WALLA WALLA COMMUNITY COLLEGE ASSOCIATED STUDENT BODY. (1) ((ASB)) The Associated Student Body President shall preside over all meetings of the executive council and joint meetings with the associated student senate. The president shall make all appointments subject to the approval of the executive council and/or student senate unless otherwise provided for in this constitution and its by-laws. He shall be responsible for the coordination of the entire associated student senate. He shall be an ex-officio non-voting member of the associated student senate and committees with the exception of executive council ((or Athletic Planning Committee)) or in the occurrence of a tie. The president shall be the official representative of the associated student senate and the executive council. He is chairman of the Athletic Activities Budget Committee. He is required to assist with:

- (a) Fairbooth
- (b) Registration
- (c) A.S.B. elections
- (d) Freshman orientation
- ((e)) Tri-college organization)
- ((f)) Spring week and homecoming activities
- ((g)) Spring retreat
- ((h)) Presidents meetings
- ((i)) Student handbook
- ((j)) Attend Board of ((Trustee's)) Trustees meetings

(2) Executive Vice President – He shall assist the president in his duties and shall assume the duties of the president in his absence. His most important ((job)) duty is to get more people involved in student government. He is to keep up-to-date and precise records of clubs' officers and all people in student government (names and phone no. etc.). He is a student representative on all school committees (example: CORP, curriculum, graduation, etc.). ((He is required to attend all Club Council meetings. Failure to attend 5 meetings unexcused is grounds for impeachment.)) He is required to assist with:

- (a) Fairbooth
- (b) He is chairman of registration
- (c) A.S.B. elections
- (d) Freshman orientation
- ((e)) Tri-college organization)
- ((f)) Spring retreat
- ((g)) Spring week and homecoming activities
- ((h)) President meetings
- ((i)) Student handbook
- ((j)) Athletic Activities Budget Committee

(3) Activities Vice-President – He shall be responsible for the activities program at ((WWCC)) Walla Walla Community College. ((and shall serve as chairman and preside over the Club Council.)) He shall appoint all necessary ((officers and have a vote in the event of a tie. He shall be an ex-officio, non-voting member of all committees of the Club Council.)) activities committee members. He must assist with:

- (a) Fairbooth
- (b) Registration
- (c) A.S.B. elections
- (d) Freshman orientation
- ((e) Tri-college organization)
- ((f)) (e) Spring retreat
- ((g)) (f) Student handbook
- ((h)) (g) Athletic Activities Budget Committee
- ((i)) (h) Budget Committee

(4) Publicity Vice-President - He shall be responsible for promoting Walla Walla Community College. He is also in charge of the fairbooth, ((tri-college game)) and promoting our school to the community, especially the high school seniors in our district. He is required to assist with:

- ((a) Registration)
- ((b)) (a) A.S.B. elections
- ((c)) (b) Freshman orientation
- ((d)) (c) Spring retreat
- ((e)) (d) Student handbook
- ((f)) (e) Athletic Activities Budget

(5) Business Vice-President - The associated student body business vice-president shall be responsible for all financial matters of the associated student body of ((WWCC)) Walla Walla Community College, and shall act as financial advisor to all subsidiary organizations of the ((WWCC)) Walla Walla Community College associated student body. The business vice-president shall maintain in an efficient manner all financial records of the ((WWCC)) Walla Walla Community College associated student body and shall submit a financial report to the executive council and the associated student senate at the termination of each academic quarter or at their request. The business vice-president shall prepare the ((WWCC)) Walla Walla Community College associated student body budget with the aid of a budget committee ((appointed by the associated student senate)). The business vice-president must have qualifications such as bookkeeping and accounting, necessary to effectively manage the student budget. Must assist with:

- (a) Fairbooth
- ((b) Registration)
- ((c)) (b) A.S.B. elections
- ((d)) (c) Freshman orientation
- ((e) Tri-college organization)
- ((f)) (d) Spring retreat
- ((g)) (e) Student handbook
- ((h)) (f) Athletic Activities Budget Committee
- ((i)) (g) Budget Committee

(6) Executive council, student senators, and representatives are required to pass a minimum of 12 credits per quarter.

(7) Executive council officers are required to be in the A.S.B. offices an average minimum of 1 hour a day. (It is recommended that they work a minimum of 10 hours a week for A.S.B.)

(8) Executive council, student senators, and representatives are required to attend all student senate meetings. Three unexcused absences per quarter may ((mean)) be grounds for impeachment or expulsion with loss of all rights and monies.

(9) Executive council officers may not take more than 18 credit hours without the express approval of the student senate.

(10) Executive council officers attempting to get a grade for being an officer must submit to ((student senate)) the Director of Student Activities a summary report form of what they did for last quarter. ((Student senate then votes on what grade the officer should receive. The grade also must meet the approval of the Dean of Students.)) The Director of Student Activities determines the grade.

AMENDATORY SECTION (Amending Order 76-1, filed 8/28/75)

WAC 132T-104-220 JUDICIAL BOARD OF WALLA WALLA COMMUNITY COLLEGE. (1) The office of chief justice will be a full-time job with reimbursement of one-half in-state tuition. He will have his own ((desk and)) mailbox. ((He will report to the associated student body president at least once a day on school days.))

(2) ((The executive council may call for a judicial board meeting on 24 hours notice any time it deems such a meeting necessary.)) The chief justice is responsible only to the constitution and the dean of students.

(3) ((The chief justice may call for a judicial board meeting on 24 hours notice when he deems it necessary.)) The judicial board shall meet within one (1) week after receiving business brought before it.

(4) ((The chief justice is responsible only to the constitution and the dean of students.)) The chief justice shall have the power to make decisions without a board meeting where a precedent has been made. This shall be open to challenge. If the chief justice is challenged, the case will be brought before the board.

(5) ((The judicial board shall meet within one (1) week after receiving business brought before it.)) Any case, before being brought before the judicial board, must first be appealed by the student to the instructor who is concerned. If satisfaction is not received from this appeal, the student then may appeal to the dean of students. If the student is still not satisfied, he may then appeal through the judicial board. Proof that the above steps have been carried out must be submitted by the student to the judicial board.

(6) ((The chief justice will have the power to make decisions without a board meeting where a precedent has been made. This shall be open to challenge. If the chief justice is challenged, the case will be brought before the board.)) The chief justice, as A.S.B. parliamentarian, is an ex-officio non-voting member of the student senate.

(7) ((Any case, before being brought before the judicial board, must first be appealed by the student to the teacher who is concerned. If satisfaction is not received from this appeal, the student then may appeal to the dean of students. If the student is still not satisfied, he may then appeal through the judicial board. Proof that the above steps have been carried out must be submitted by the student to the judicial board.)) Three (3) unexcused absences per quarter may be grounds for impeachment or expulsion, with the loss of all rights and monies.

(8) ((Chief Justice as A.S.B. parliamentarian, is an ex-officio non-voting member of student senate:)) The chief justice is a member of the election committee.

Reviser's Note: WAC 1-13-130 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION (Amending Order 76-1, filed 8/28/75)

WAC 132T-((+40))104-230 THE APPELLATE COURT OF WALLA WALLA COMMUNITY COLLEGE. (1) ((The judicial board may call for an appellate court meeting on 48 hours notice.)) The appellate court shall be formed within one (1) week of any student appeal made to the chief justice.

(2) ((The president of the college may call an appellate court meeting on 24 hours notice.)) The appellate court shall be responsible only to the associated student body constitution and the president of the college, and shall perform their duties in a just manner.

(3) ((The appellate court presiding justice may call an appellate court meeting on 24 hours notice.)) No names brought before the appellate court will be made known to anyone except the president of the college, the dean of students, and the president of the associated student body.

(4) ((The appellate court shall be responsible only to the associated student body constitution and the president of the college, and shall perform their duties in a just manner.)) The principle involved in any appellate court proceedings may and should be made known to all members of the college. A record of the court proceedings shall be known in public in writing to the associated student body.

((5) No names brought before the appellate court will be made known to anyone except the president of the college, the dean of students, and the president of the associated student body.))

((6) The principle involved in any appellate court proceedings may and should be made known to all members of the college. A record of the court proceedings shall be known in public in writing to the associated student body.))

AMENDATORY SECTION (Amending Order 76-1, filed 8/28/75)

WAC 132T-104-240 SOPHOMORE AND FRESHMAN SENATORS. (1) ((There shall be a minimum of five sophomore and five freshman senators; however, there may be more than ten sophomore and freshman senators in the student senate:)) There shall be four (4) sophomore senators appointed by the student senate in the spring prior to their year in office. They officially take office when the new executive council takes office. Sophomore and freshman senators will be appointed in the following manner:

(a) Executive council announces that they are seeking sophomore and/or freshman senators in the school newspaper and weekly bulletin.

(b) Persons wishing to seek a position, turn into an executive officer a resume within two (2) weeks after the first announcement is made.

(c) Executive council screens the people applying for the positions. They then recommend to the student senate the people that they feel are qualified for the positions. They may recommend as many people to a position as they feel are qualified, example: Two (2) or more people may be recommended for position 1.

(d) The student senate then votes on the person desired for that position. A student senator must receive a two-thirds (2/3) majority vote from the student senate to be a sophomore or freshman senator.

(2) ((There shall be 4 sophomore senators appointed by A.S.B. in the spring prior to their year in office. They officially take office when the new executive council takes office. Sophomore and freshman senators will be appointed in the following manner:

(a) Executive council announces that they are seeking sophomore and/or freshman senators in the school newspaper and weekly bulletin.

(b) Persons wishing to seek a position, turn into an executive officer a resume within two weeks after the first announcement is made.

(c) Executive council screens the people applying for the positions. They then recommend to student senate the people that they feel are qualified for the positions. They may recommend as many people to a position as they feel are qualified, example: 2 or more people may be recommended for position 1.

(d) Student senate then votes on the person desired for that position. A student senator must receive a 2/3 majority vote from student senate to be sophomore or freshman senator.)) Positions:

(a) Position 1 – Sophomore and freshman senators. They are student intramural directors. They plan intramural programs with the college intramural director. They are required to attend all associated student body meetings. Missing three (3) A.S.B. meetings may be grounds for removal from office.

(b) Position 2 – Sophomore and freshman senators. They are activities senators. They attend all A.S.B. meetings. Missing three (3) A.S.B. meetings may be grounds for removal from office.

(c) Position 3 – Sophomore and freshman senators. Their duties shall include buying equipment, campus beautification, improving the constitution, and getting more people involved in our school activities. They are required to attend all A.S.B. meetings. Missing three (3) A.S.B. meetings may be grounds for removal from office.

(d) Position 4 – Sophomore or freshman senator. The publicity senator is in charge of making posters, approving them, and making sure that all posters are taken down within twenty-four (24) hours after their use has been fulfilled. Missing three (3) A.S.B. meetings may be grounds for removal from office.

(e) Position 5 – Freshman or sophomore senator. This person is responsible for publishing the weekly bulletin and assisting the school newspaper whenever possible. He must attend all A.S.B. meetings. Missing three (3) A.S.B. meetings may be grounds for removal from office.

(f) Positions 6 and on - These are left up to the imagination of the people applying. They may be varied as to the needs of the associated student body. Missing three (3) meetings may be grounds for removal from office.

((3) Positions:

(a) Position 1 - Sophomore and freshman senators. They are intramural directors. They plan intramural programs with the intramural coach. They assist the publicity vice-president at the tri-college game. They are required to attend all A.S.B. meetings. Missing five A.S.B. meetings is grounds for removal from office.

(b) Position 2 - Sophomore and freshman senators. They are activities senators. They attend all A.S.B. meetings. Missing five A.S.B. meetings is grounds for impeachment.

(c) Position 3 - Sophomore and freshman senators. Their duties would include buying equipment, campus beautification, improving the constitution, and getting more people involved in our school activities. They are required to attend all A.S.B. meetings. Missing five A.S.B. meetings is grounds for impeachment.

(d) Position 4 - Sophomore or freshman senator. Only one person has this office. If a sophomore has this position then position 4 for a freshman is under section 7 and vice versa. The publicity senator is in charge of making posters, approving them, and making sure that all posters are taken down within 24 hours after their use has been fulfilled. Missing five A.S.B. meetings is grounds for impeachment.

(e) Position 4 - Freshman or sophomore senator. This person is responsible for publishing the weekly bulletin and assisting the school newspaper whenever possible. He must attend all A.S.B. meetings. Missing five A.S.B. meetings is grounds for impeachment.

(f) Positions 5 and on - These are left up to the imagination of the people applying. They may be varied as to the needs of the associated student body. Missing five meetings is grounds for impeachment.

AMENDATORY SECTION (Amending Order 76-1, filed 8/28/75)

WAC 132T-104-250 LEADERSHIP AWARDS.

(1) Five (5) awards, consisting of \$20.00, ((with)) may be awarded.

(2) Voting members of the executive council shall be excluded.

(3) Candidates shall exhibit enthusiasm and shall participate in school activities.

(4) Candidates shall have, at the time of the award, a 2.0 cumulative grade average.

(5) The candidates shall have exhibited a willingness to sacrifice ((his)) their personal time to participate in the planning and organizing of school activities.

(6) Candidates will be selected by the executive council and ratified by a vote of two-thirds (2/3) majority of student senate.

AMENDATORY SECTION (Amending Order 76-1, filed 8/28/75)

WAC 132T-104-260 ELECTIONS. (1) There shall be two (2) persons at the place of polling at all times. One (1) shall be a member of the executive council and ((one (1) shall be a member of the judicial board))/or the chief justice of the judicial board.

(2) The chief justice of the judicial board, or the chief justice pro-tem, and two (2) executive council members shall be present at the counting of the ballots.

(3) All persons holding an associated student body card shall be eligible to vote. This includes part-time students, faculty, administration, and classified employees.

(4) The elections shall be held from 1:00 p.m. to 9:00 p.m. on the first election day, and from 9:00 a.m. to 3:00 p.m. on the second (last) election day. There shall be no election held on Friday.

(5) An associated student body card must be presented and punched at the time of voting. A book must be signed by the student prior to voting.

(6) No campaigning will be permitted within the room, nor any loitering within twenty-five (25) feet from the voting area. Campaigning shall be defined to include posters and handbills.

(7) The results of the election shall be made known and posted in the student lounge no later than twenty-four (24) hours after the closing of the polls.

(8) Except in the case of a handicapped individual, only one person at a time shall be admitted in the voting booth or machine ((at a time)).

(9) All voting in associated student body, public, and special elections shall be done by secret ballot.

(10) There shall be an election committee composed of the ((judicial board)) chief justice and the executive council.

(11) The ((ten (10))) six (6) members of the election committee shall be divided into two (2) groups of ((five (5))) three (3) members each. The chief justice and two (2) members from each group shall compose the campaign committee. The associated student body president and two (2) members from each group shall compose the election committee. The members from the committees shall be chosen ((from the available)) by the associated student body president and the chief justice together.

(12) The election committee shall preside over all associated student body, public, and special elections. This committee shall enforce all rules of campaigning.

(13) Any challenge of the election committee shall be referred to the appellate court.

(14) Any challenge of the voting must be made within twenty-four (24) hours of the closing of the polls.

(15) All write-ins shall be permitted on both primary and general elections.

(16) A write-in vote will be acceptable and counted when it is recognizable as belonging to a certain person.

AMENDATORY SECTION (Amending Order 76-1, filed 8/28/75)

WAC 132T-104-270 INITIATIVE AND REFERENDUM. (1) If any legal voter or organization of legal

voters of Walla Walla Community College desires to petition the associated student senate to enact a proposed measure, or to submit a proposed measure to the people, or to order that a referendum of any act, or any part thereof, passed by the associated student senate be submitted to the students, he or they shall file in the office of the associated student body secretary five (5) printed or typewritten copies of the measure proposed, or of the act or part thereof on which a referendum is desired, accompanied by the name and address of the proposer, and by an affidavit that the proposer (if an individual) is, or that the members of the proposer (if an organization) are legal students.

(2) Initiative measures proposed to be submitted to the students must be filed with the associated student body secretary within two (2) months prior to the election at which they are to be submitted, and the petitions, therefore, must be filed with the associated student body secretary not less than one (1) month before the next general election.

(3) Petitions ordering that acts or parts of acts passed by the associated student senate be referred to the students at the next ensuing election, shall be substantially in the following form:

Warning: Every person who signs this petition with any other than his true name, or who knowingly signs more than one of these petitions, or who signs this petition when he is not a legal student, or who makes herein any false statement, shall nullify the petition.

Petition for Referendum

To the Honorable
Secretary of the Associated Students of Walla Walla Community College: We, the undersigned students of Walla Walla Community College and legal students set opposite our names, respectfully order and direct that Referendum Measure No., entitled (here insert the established ballot title of the measure) being a (or part or parts of an) act passed by the of Walla Walla Community College at the last special session of said legislature, shall be referred to the students of Walla Walla Community College for their approval or rejection at the special election to be held on the day of, A.D., 19...: and each of us for himself says: I have personally signed this petition: I am a legal student of Walla Walla Community College, and my residence is correctly stated.

Petitioner's Signature	Address
1.	
2.	
etc.	

(4) ((When)) ((the)) The person or organization proposing any initiative measure ((has secured)) shall secure upon any such initiative petition the signatures of

legal students equal in number to or exceeding eight (8) per cent of the whole number of legal students.

(5) The time for submitting initiative or referendum petitions to the associated student body secretary for filing is as follows:

(a) A referendum petition ordering and directing that the whole or some part ((of)) or parts of an act passed by the student senate be referred to the students for their approval or rejection at the next ensuing general election or a special election ordered by the student senate, must be submitted not more than ninety (90) days after the final adjournment of the session of the student senate which passed the act.

(b) An initiative petition proposing a measure to be submitted to the students for their approval or rejection at the next ensuing general election must be submitted not less than two (2) months before the date of such election.

(6) Upon any initiative or referendum petition being submitted to the associated student body secretary for filing, he may refuse to file it upon any of the following grounds:

(a) That the petition is not in proper form.

(b) That the petition clearly bears insufficient signatures.

(c) That the time within which the petition may be filed has expired.

(7) In case of refusal, the associated student body secretary shall endorse on the petition the word "submitted" and the date, and retain the petition pending appeal. If none of the grounds for refusal exists, the associated student body secretary must accept and file the petition.

AMENDATORY SECTION (Amending Order 76-1, filed 8/28/75)

WAC 132T-104-280 THE RECALL. (1) Initiating recall proceedings—statement—contents—verification. Wherever any legal student or committee or organization of Walla Walla Community College students desire to demand the recall and discharge ((or)) of any elective public officer of Walla Walla Community College, as the case may be, he or they shall prepare a printed or typewritten charge, reciting that such officer, naming him and giving the title of his office, has committed an act or acts of malfeasance while in office. The charge shall state the act or acts complained of in concise language, without unnecessary repetition, and shall be signed by the person or persons making the same, ((given)) who shall give their respective addresses and be verified under oath that he or they believe the charge or charges to be true.

(2) The recall petition shall be filed in the office of the associated student body secretary.

(3) Upon being notified of the language of the ballot synopsis of the charge, the persons filing the charge shall cause to be printed for the recall and discharge of an officer a petition substantially in the following form:

Warning: Every person who signs this petition with any other than his true name, or who knowingly signs more than one of these

petitions, or who signs this petition when he is not a legal student of Walla Walla Community College, or herein makes a false statement, shall nullify the recall petition.

Petition for the recall of
(here insert name of the person
whose recall is petitioned for)

To the Honorable (here insert the name and title of the officer with whom the charge is filed):

We, the undersigned students of Walla Walla Community College set opposite our respective names, respectfully direct that a special election be called to determine whether or not (here insert the name of the person charged and the office which he holds) be recalled and discharged from his office for and on account of ((t))his having committed the act or acts of malfeasance or misfeasance while in office, in the following particulars: (here insert the synopsis of the charge); and each of us for himself says: I have personally signed this petition; I am a legal student of Walla Walla Community College; and my residence address is correctly stated.

Petitioner's Signature	Address
1.	
2.	
etc.	

(4) When the person, committee, or organization demanding the recall of a public officer has secured sufficient signatures upon the recall petition he or it may submit the same to the officer with whom the charge was filed for filing in his office. The number of signatures required shall be as follows: In the case of a member of the associated student senate, signatures of legal students equal to twenty-five (25) per cent of the total number of votes cast for all candidates for the office ((to)) when the officer whose recall is demanded was elected at the preceding election.

(5) Upon the filing of a recall petition in his office, the officer with whom the charge was filed shall stamp on each petition the date of filing, and shall notify the persons filing them and the officer whose recall is demanded of the date when the petitions will be canvassed, which date shall be not less than five (5) or more than ten (10) days from the date of its filing.

(6) The special election to be called for the recall of officers shall be conducted in the same manner as primary or general elections, as the case may be, are conducted. The ballots at any recall election shall contain a full, true, and correct copy of the ballot synopsis of the charge, and shall be so arranged that any voter can, by making one cross (x) express his desire to have the officer charged recalled from his office, or retained therein.

(7) Upon the completion of the canvass of the returns of any recall election, the result shall be published in the manner required by law for the publication of the results of general elections. If a majority of all votes cast at the

recall election is for the recall of the officer charged, he shall be dismissed from his office, and the office shall thereupon become and be vacant.

Reviser's Note: WAC 1-13-130 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

WSR 78-09-059

EMERGENCY RULES

DEPARTMENT OF FISHERIES

[Order 78-63—Filed August 23, 1978]

I, Gordon Sandison, director of state Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to personal use fishing regulations.

I, Gordon Sandison, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is low water in Capitol Lake has made returning salmon extra vulnerable to personal use fishing and increased the potential for snagging. This order is necessary to protect the run.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 23, 1978.

By Gordon Sandison
Director

NEW SECTION

WAC 220-57A-03000A CAPITOL LAKE Notwithstanding the provisions of WAC 220-57A-030, effective immediately until further notice it shall be unlawful to take, fish for or possess salmon for personal use from the waters of Capitol Lake.

WSR 78-09-060
EMERGENCY RULES
DEPARTMENT OF LABOR AND INDUSTRIES

[Order 78-14—Filed August 23, 1978]

I, John C. Hewitt, director of Department of Labor and Industries, do promulgate and adopt at office of the Director the annexed rules relating to:

NEW WAC 296-37-510 through 296-37-585, captioned Commercial Diving Operations and superseding Safety standards—Scuba Diving, Submarine Diving. Commercial Diving Operations is identical to 29 CFR 1910.401 through 1910.441; and

REP WAC 296-37-010 through 296-37-460 relating to Safety Standards—Scuba Diving, Submarine Diving.

I, John C. Hewitt, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is for the State to keep jurisdiction the attached rules, constituting repeal of WAC 296-37-010 through 296-37-460 and immediate emergency adoption of new sections WAC 296-37-510 through 296-37-585 necessary to conform with 29 CFR 1910.401 through 1910-441.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 49.17.050 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 23, 1978.

By John C. Hewitt
Director

**Chapter 296-37 WAC
STANDARDS FOR COMMERCIAL DIVING OPERATIONS**

WAC

<u>296-37-510</u>	<u>Scope and Application.</u>
<u>296-37-515</u>	<u>Definitions.</u>
<u>296-37-520</u>	<u>Qualifications of Dive Team.</u>
<u>296-37-525</u>	<u>Medical Requirements.</u>
<u>296-37-530</u>	<u>Safe Practices Manual.</u>
<u>296-37-535</u>	<u>Pre-dive Procedures.</u>
<u>296-37-540</u>	<u>Procedures During Dive.</u>
<u>296-37-545</u>	<u>Post-dive Procedures.</u>
<u>296-37-550</u>	<u>Scuba Diving.</u>
<u>296-37-555</u>	<u>Surface-supplied Air Diving.</u>
<u>296-37-560</u>	<u>Mixed-Gas Diving.</u>
<u>296-37-565</u>	<u>Liveboating.</u>
<u>296-37-570</u>	<u>Equipment.</u>
<u>296-37-575</u>	<u>Recordkeeping Requirements.</u>
<u>296-37-580</u>	<u>Effective Date.</u>
<u>296-37-585</u>	<u>Examples of Conditions Which May Restrict or Limit Exposure to Hyperbaric Conditions.</u>

NEW SECTION

WAC 296-37-510 SCOPE AND APPLICATION.

(1) The requirements included in this vertical chapter shall apply throughout the State wherever commercial

diving takes place within the jurisdiction of the Department of Labor and Industries. These requirements shall also be applicable to those diving related and supportive work activities not at the diving site but which have a direct effect on the safety of the diving operations. Examples may include but are not limited to: the supply of breathing air or gas, the supply of materials, equipment or supplies required by this chapter, the maintenance of diving equipment.

(2) This chapter shall augment the requirements of the General Safety and Health Standard, Chapter 296-24 WAC and the General Occupational Health Standard, Chapter 296-62 WAC. In instances where this chapter is in direct conflict with the requirements of any general horizontal standard, the requirements of this chapter shall apply.

(3) Hoisting gear used in diving operations shall be inspected and certified as required by Chapter 296-56 WAC, Safety Standards for Longshore, Stevedore and Related Waterfront Operations.

(4) Application in Emergencies. (a) An employer may deviate from the requirements of this standard to the extent necessary to prevent or minimize a situation which is likely to cause death, serious physical harm, or major environmental damage, provided that the employer:

(i) Notifies the Assistant Director of the Department of Labor and Industries in Olympia or the Chief Safety Inspector for the Region within 48 hours of the onset of the emergency situation indicating the nature of the emergency and extent of the deviation from the prescribed regulations; and

(ii) Upon request from the authority notified, submits such information in writing.

(5) Employer Obligation. (a) The employer shall be responsible for compliance with:

(i) All provisions of this standard of general applicability; and

(ii) All requirements pertaining to specific diving modes to the extent diving operations in such modes are conducted.

NEW SECTION

WAC 296-37-515 DEFINITIONS. As used in this standard, the listed terms are defined as follows:

(1) "Acfm": Actual cubic feet per minute.

(2) "ASME" Code or equivalent": ASME (American Society of Mechanical Engineers) Boiler and Pressure Vessel Code, Section VIII, or an equivalent code which the employer can demonstrate to be equally effective.

(3) "ATA": Atmosphere absolute.

(4) "Bell": An enclosed compartment, pressurized (closed bell) or unpressurized (open bell), which allows the diver to be transported to and from the underwater work area and which may be used as a temporary refuge during diving operations.

(5) "Bottom time": The total elapsed time measured in minutes from the time when the diver leaves the surface in descent to the time that the diver begins ascent.

(6) "Bursting pressure": The pressure at which a pressure containment device would fail structurally.

(7) "Cylinder": A pressure vessel for the storage of gases.

(8) "Decompression chamber": A pressure vessel for human occupancy such as a surface decompression chamber, closed bell, or deep diving system used to decompress divers and to treat decompression sickness.

(9) "Decompression sickness": A condition with a variety of symptoms which may result from gas or bubbles in the tissues of divers after pressure reduction.

(10) "Decompression table": A profile or set of profiles of depth-time relationships for ascent rates and breathing mixtures to be followed after a specific depth-time exposure or exposures.

(11) "Dive location": A surface or vessel from which a diving operation is conducted.

(12) "Dive-location reserve breathing gas": A supply system of air or mixed-gas (as appropriate) at the dive location which is independent of the primary supply system and sufficient to support divers during the planned decompression.

(13) "Dive team": Divers and support employees involved in a diving operation, including the designated person-in-charge.

(14) "Diver": An employee working in water using underwater apparatus which supplies compressed breathing gas at the ambient pressure.

(15) "Diver-carried reserve breathing gas": A diver-carried supply of air or mixed gas (as appropriate) sufficient under standard operating conditions to allow the diver to reach the surface, or another source of breathing gas, or to be reached by a standby diver.

(16) "Diving mode": A type of diving requiring specific equipment, procedures and techniques (SCUBA, surface-supplied air, or mixed gas).

(17) "Fsw": Feet of seawater (or equivalent static pressure head).

(18) "Heavy gear": Diver-worn deep-sea dress including helmet, breastplate, dry suit, and weighted shoes.

(19) "Hyperbaric conditions": Pressure conditions in excess of surface pressure.

(20) "Inwater stage": A suspended underwater platform which supports a diver in the water.

(21) "Liveboating": The practice of supporting a surfaced-supplied air or mixed gas diver from a vessel which is underway.

(22) "Mixed-gas diving": A diving mode in which the diver is supplied in the water with a breathing gas other than air.

(23) "No-decompression limits": The depth-time limits of the "no-decompression limits and repetitive dive group designation table for no-decompression air dives", U.S. Navy Diving Manual or equivalent limits which the employer can demonstrate to be equally effective.

(24) "Psi(g)": Pounds per square inch (gauge).

(25) "SCUBA diving": A diving mode independent of surface supply in which the diver uses open circuit self-contained underwater breathing apparatus.

(26) "Standby diver": A diver at the dive location available to assist a diver in the water.

(27) "Surface-supplied air diving": A diving mode in which the diver in the water is supplied from the dive location with compressed air for breathing.

(28) "Treatment table": A depth-time and breathing gas profile designed to treat decompression sickness.

(29) "Umbilical": The composite hose bundle between a dive location and a diver or bell, or between a diver and a bell, which supplies the diver or bell with breathing gas, communications, power, or heat as appropriate to the diving mode or conditions, and includes a safety line between the diver and the dive location.

(30) "Volume tank": A pressure vessel connected to the outlet of a compressor and used as an air reservoir.

(31) "Working pressure": The maximum pressure to which a pressure containment device may be exposed under standard operating conditions.

NEW SECTION

WAC 296-37-520 QUALIFICATIONS OF DIVE TEAM. (1) General.

(a) Each dive team member shall have the experience or training necessary to perform assigned tasks in a safe and healthful manner.

(b) Each dive team member shall have experience or training in the following:

(i) The use of tools, equipment and systems relevant to assigned tasks;

(ii) Techniques of the assigned diving mode; and

(iii) Diving operations and emergency procedures.

(c) All dive team members shall be trained in cardiopulmonary resuscitation and first aid (American Red Cross standard course or equivalent).

(d) Dive team members who are exposed to or control the exposure of others to hyperbaric conditions shall be trained in diving-related physics and physiology.

(2) Assignments. (a) Each dive team member shall be assigned tasks in accordance with the employee's experience or training, except that limited additional tasks may be assigned to an employee undergoing training provided that these tasks are performed under the direct supervision of an experienced dive team member.

(b) The employer shall not require a dive team member to be exposed to hyperbaric conditions against the employee's will, except when necessary to complete decompression or treatment procedures.

(c) The employer shall not permit a dive team member to dive or be otherwise exposed to hyperbaric conditions for the duration of any temporary physical impairment or condition which is known to the employer and is likely to affect adversely the safety or health of a dive team member.

(3) Designated Person-In-Charge. (a) The employer or an employee designated by the employer shall be at the dive location in charge of all aspects of the diving operation affecting the safety and health of dive team members.

(b) The designated person-in-charge shall have experience and training in the conduct of the assigned diving operation.

NEW SECTION

WAC 296-37-525 MEDICAL REQUIREMENTS. (1) General. (a) The employer shall determine that dive team members who are, or are likely to be, exposed to hyperbaric conditions are medically fit to perform assigned tasks in a safe and healthful manner.

(b) The employer shall provide each dive team member who is, or is likely to be, exposed to hyperbaric conditions with all medical examinations required by this standard.

(c) All medical examinations required by this standard shall be performed by, or under the direction of, a physician at no cost to the employee.

(2) Frequency of Medical Examinations. Medical examinations shall be provided:

(a) Prior to initial hyperbaric exposure with the employer, unless an equivalent medical examination has been given within the preceding 12 months and the employer has obtained the results of the examination and an opinion from the examining physician of the employee's medical fitness to dive or to be otherwise exposed to hyperbaric conditions;

(b) At one year intervals from the date of initial examination or last equivalent examination; and

(c) After an injury or illness requiring hospitalization of more than twenty-four hours.

(3) Information Provided to Examining Physician. The employer shall provide the following information to the examining physician:

(a) A copy of the medical requirements of this standard; and

(b) A summary of the nature and extent of hyperbaric conditions to which the dive team member will be exposed, including diving modes and types of work to be assigned.

(4) Content of Medical Examinations. (a) Medical examinations conducted initially and annually shall consist of the following:

(i) Medical history;

(ii) Diving-related work history;

(iii) Basic physical examination;

(iv) The tests required by Table I; and

(v) Any additional tests the physician considers necessary.

(b) Medical examinations conducted after an injury or illness requiring hospitalization of more than 24 hours shall be appropriate to the nature and extent of the injury or illness as determined by the examining physician.

TABLE I

TESTS FOR DIVING MEDICAL EXAMINATION

Test	Initial Examination	Annual Reexamination
Chest X-ray	x	
Visual acuity	x	x
Color blindness	x	
EKG: standard 12L ¹		
Hearing test	x	x
Hematocrit or	x	x

Test	Initial Examination	Annual Reexamination
hemoglobin.		
Sickle cell index	x	
White blood count	x	x
Urinalysis	x	x

¹To be given to the employee once, at age 35 or over.

(5) Physician's Written Report. (a) After any medical examination required by this standard, the employer shall obtain a written report prepared by the examining physician containing:

(i) The results of the medical examination; and
(ii) The examining physician's opinion of the employee's fitness to be exposed to hyperbaric conditions, including any recommended restrictions or limitations to such exposure (see WAC 296-37-585).

(b) The employer shall provide the employee with a copy of the physician's written report.

(6) Determination of Employee Fitness. (a) The employer shall determine the extent and nature of the dive team member's fitness to engage in diving or be otherwise exposed to hyperbaric conditions consistent with the recommendations in the examining physician's report.

(b) If the examining physician has recommended a restriction or limitation on the dive team member's exposure to hyperbaric conditions, and the affected employee does not concur, a second physician selected by the employee shall render a medical opinion on the nature and extent of the restriction or limitation, if any.

(c) If the recommendation of the second opinion differs from that of the examining (first) physician, and if the employer and employee are unable to agree on the nature and extent of the restriction or limitation, an opinion from a third physician selected by the first two physicians shall be obtained. The employer's determination of the dive team member's fitness shall be consistent with the medical opinion of the third physician, unless the employer and employee reach an agreement which is otherwise consistent with the recommendation or opinion of at least two of the physicians involved.

(d) Nothing in this procedure shall be construed to prohibit either a dive team member from accepting, or an employer from offering, an assignment which is otherwise consistent with at least one medical opinion while a final determination on the employee's fitness is pending.

NEW SECTION

WAC 296-37-530 SAFE PRACTICES MANUAL. (1) General. The employer shall develop and maintain a safe practices manual which shall be made available at the dive location to each dive team member.

(2) Contents. (a) The safe practices manual shall contain a copy of this standard and the employer's policies for implementing the requirements of this standard.

(b) For each diving mode engaged in, the safe practices manual shall include:

- (i) Safety procedures and checklists for diving operations;
- (ii) Assignments and responsibilities of the dive team members;
- (iii) Equipment procedures and checklists; and
- (iv) Emergency procedures for fire, equipment failure, adverse environmental conditions, and medical illness and injury.

NEW SECTION

WAC 296-37-535 PRE-DIVE PROCEDURES.

(1) General. The employer shall comply with the following requirements prior to each diving operation, unless otherwise specified.

(2) Emergency Aid. A list shall be kept at the dive location of the telephone or call numbers of the following:

- (a) An operational decompression chamber (if not at the dive location);
- (b) Accessible hospitals;
- (c) Available physicians;
- (d) Available means of transportation; and
- (e) The nearest U.S. Coast Guard Rescue Coordination Center.

(3) First Aid Supplies. (a) A first aid kit appropriate for the diving operation and approved by a physician shall be available at the dive location.

(b) When used in a decompression chamber or bell, the first aid kit shall be suitable for use under hyperbaric conditions.

(c) In addition to any other first aid supplies, an American Red Cross standard first aid handbook or equivalent, and a bag-type manual resuscitator with transparent mask and tubing shall be available at the dive location.

(4) Planning and Assessment. Planning of a diving operation shall include an assessment of the safety and health aspects of the following:

- (a) Diving mode;
- (b) Surface and underwater conditions and hazards;
- (c) Breathing gas supply (including reserves);
- (d) Thermal protection;
- (e) Diving equipment and systems;
- (f) Dive team assignments and physical fitness of dive team members (including any impairment known to the employer);
- (g) Repetitive dive designation or residual inert gas status of dive team members;
- (h) Decompression and treatment procedures (including altitude corrections); and
- (i) Emergency procedures.

(5) Hazardous Activities. To minimize hazards to the dive team, diving operations shall be coordinated with other activities in the vicinity which are likely to interfere with the diving operation.

(6) Employee Briefing. (a) Dive team members shall be briefed on:

- (i) The tasks to be undertaken;
- (ii) Safety procedures for the diving mode;
- (iii) Any unusual hazards or environmental conditions likely to affect the safety of the diving operation; and

(iv) Any modifications to operating procedures necessitated by the specific diving operation.

(b) Prior to making individual dive team member assignments, the employer shall inquire into the dive team member's current state of physical fitness, and indicate to the dive team member the procedure for reporting physical problems or adverse physiological effects during and after the dive.

(7) Equipment Inspection. The breathing gas supply system including reserve breathing gas supplies, masks, helmets, thermal protection, and bell handling mechanism (when appropriate) shall be inspected prior to each dive.

(8) Warning Signal. When diving from surfaces other than vessels in areas capable of supporting marine traffic, a rigid replica of the international code flag "A" at least one meter in height shall be displayed at the dive location in a manner which allows all-round visibility, and shall be illuminated during night diving operations.

NEW SECTION

WAC 296-37-540 PROCEDURES DURING DIVE. (1) General. The employer shall comply with the following requirements which are applicable to each diving operation unless otherwise specified.

(2) Water Entry and Exit. (a) A means capable of supporting the diver shall be provided for entering and exiting the water.

(b) The means provided for exiting the water shall extend below the water surface.

(c) A means shall be provided to assist an injured diver from the water or into a bell.

(3) Communications. (a) An operational two-way voice communication system shall be used between:

(i) Each surface-supplied air or mixed-gas diver and a dive team member at the dive location or bell (when provided or required); and

(ii) The bell and the dive location.

(b) An operational, two-way communication system shall be available at the dive location to obtain emergency assistance.

(4) Decompression Tables. Decompression, repetitive, and no-decompression tables (as appropriate) shall be at the dive location.

(5) Dive Profiles. A depth-time profile, including when appropriate any breathing gas changes, shall be maintained for each diver during the dive including decompression.

(6) Hand-held Power Tools and Equipment. (a) Hand-held electrical tools and equipment shall be de-energized before being placed into or retrieved from the water.

(b) Hand-held power tools shall not be supplied with power from the dive location until requested by the diver.

(7) Welding and Burning. (a) A current supply switch to interrupt the current flow to the welding or burning electrode shall be:

(i) Tended by a dive team member in voice communication with the diver performing the welding or burning; and

(ii) Kept in the open position except when the diver is welding or burning.

(b) The welding machine frame shall be grounded.

(c) Welding and burning cables, electrode holders, and connections shall be capable of carrying the maximum current required by the work, and shall be properly insulated.

(d) Insulated gloves shall be provided to divers performing welding and burning operations.

(e) Prior to welding or burning on closed compartments, structures or pipes, which contain a flammable vapor or in which a flammable vapor may be generated by the work, they shall be vented, flooded, or purged with a mixture of gases which will not support combustion.

(8) Explosives. (a) Employers shall transport, store, and use explosives in accordance with this section and applicable provisions of Chapter 296-52 WAC.

(b) Electrical continuity of explosive circuits shall not be tested until the diver is out of the water.

(c) Explosives shall not be detonated while the diver is in the water.

(9) Termination of Dive. The working interval of a dive shall be terminated when:

(a) A diver requests termination;

(b) A diver fails to respond correctly to communications or signals from a dive team member;

(c) Communications are lost and can not be quickly re-established between the diver and a dive team member at the dive location, and between the designated person-in-charge and the person controlling the vessel in liveboating operations; or

(d) A diver begins to use diver-carried reserve breathing gas or the dive-location reserve breathing gas.

NEW SECTION

WAC 296-37-545 POST-DIVE PROCEDURES.

(1) General. The employer shall comply with the following requirements which are applicable after each diving operation, unless otherwise specified.

(2) Precautions. (a) After the completion of any dive, the employer shall:

(i) Check the physical condition of the diver;

(ii) Instruct the diver to report any physical problems or adverse physiological effects including symptoms of decompression sickness;

(iii) Advise the diver of the location of a decompression chamber which is ready for use; and

(iv) Alert the diver to the potential hazards of flying after diving.

(b) For any dive outside the no-decompression limits, deeper than 100 fsw or using mixed gas as a breathing mixture, the employer shall instruct the diver to remain awake and in the vicinity of the decompression chamber which is at the dive location for at least one hour after the dive (including decompression or treatment as appropriate).

(3) Recompression Capability. (a) A decompression chamber capable of recompressing the diver at the surface to a minimum of 165 fsw (6 ATA) shall be available at the dive location for:

(i) Surface-supplied air diving to depths deeper than 100 fsw and shallower than 220 fsw;

(ii) Mixed gas diving shallower than 300 fsw; or

(iii) Diving outside the no-decompression limits shallower than 300 fsw.

(b) A decompression chamber capable of recompressing the diver at the surface to the maximum depth of the dive shall be available at the dive location for dives deeper than 300 fsw.

(c) The decompression chamber shall be:

(i) Dual-lock;

(ii) Multiplace; and

(iii) Located within five minutes of the dive location.

(d) The decompression chamber shall be equipped with:

(i) A pressure gauge for each pressurized compartment designed for human occupancy;

(ii) A built-in-breathing-system with a minimum of one mask per occupant;

(iii) A two-way voice communication system between occupants and a dive team member at the dive location;

(iv) A viewport; and

(v) Illumination capability to light the interior.

(e) Treatment tables, treatment gas appropriate to the diving mode, and sufficient gas to conduct treatment shall be available at the dive location.

(f) A dive team member shall be available at the dive location during and for at least one hour after the dive to operate the decompression chamber (when required or provided).

(4) Record of Dive. (a) The following information shall be recorded and maintained for each diving operation:

(i) Names of dive team members including designated person-in-charge;

(ii) Date, time, and location;

(iii) Diving modes used;

(iv) General nature of work performed;

(v) Approximate underwater and surface conditions (visibility, water temperature and current); and

(vi) Maximum depth and bottom time for each diver.

(b) For each dive outside the no-decompression limits, deeper than 100 fsw or using mixed gas, the following additional information shall be recorded and maintained:

(i) Depth-time and breathing gas profiles;

(ii) Decompression table designation (including modification); and

(iii) Elapsed time since last pressure exposure if less than 24 hours or repetitive dive designation for each diver.

(c) For each dive in which decompression sickness is suspected or symptoms are evident, the following additional information shall be recorded and maintained:

(i) Description of decompression sickness symptoms (including depth and time of onset); and

(ii) Description and results of treatment.

(5) Decompression Procedure Assessment. The employer shall:

(a) Investigate and evaluate each incident of decompression sickness based on the recorded information, consideration of the past performance of decompression table used, and individual susceptibility;

- (b) Take appropriate corrective action to reduce the probability of recurrence of decompression sickness; and
- (c) Prepare a written evaluation of the decompression procedure assessment, including any corrective action taken, within 45 days of the incident of decompression sickness.

NEW SECTION

WAC 296-37-550 SCUBA DIVING. (1) General. Employers engaged in SCUBA diving shall comply with the following requirements, unless otherwise specified.

- (2) Limits. SCUBA diving shall not be conducted:
 - (a) At depths deeper than 130 fsw;
 - (b) At depths deeper than 100 fsw or outside the no-decompression limits unless a decompression chamber is ready for use;
 - (c) Against currents exceeding one knot unless line-tended; or
 - (d) In enclosed or physically confining spaces unless line-tended.
- (3) Procedures. (a) A standby diver shall be available while a diver is in the water.
 - (b) A diver shall be line-tended from the surface, or accompanied by another diver in the water in continuous visual contact during the diving operation.
 - (c) A diver shall be stationed at the underwater point of entry when diving is conducted in enclosed or physically confining spaces.
 - (d) A diver-carried reserve breathing gas supply shall be provided for each diver consisting of:
 - (i) A manual reserve (J valve); or
 - (ii) An independent reserve cylinder with a separate regulator or connected to the underwater breathing apparatus.
 - (e) The valve of the reserve breathing gas supply shall be in the closed position prior to the dive.

NEW SECTION

WAC 296-37-555 SURFACE-SUPPLIED AIR DIVING. (1) General. Employers engaged in surface-supplied air diving shall comply with the following requirements, unless otherwise specified.

- (2) Limits. (a) Surface-supplied air diving shall not be conducted at depths deeper than 190 fsw, except that dives with bottom times of 30 minutes or less may be conducted to depths of 220 fsw.
- (b) A decompression chamber shall be ready for use at the dive location for any dive outside the no-decompression limits or deeper than 100 fsw.
- (c) A bell shall be used for dives with an inwater decompression time greater than 120 minutes, except when heavy gear is worn or diving is conducted in physically confining spaces.
- (3) Procedures. (a) Each diver shall be continuously tended while in the water.
 - (b) A diver shall be stationed at the underwater point of entry when diving is conducted in enclosed or physically confining spaces.
 - (c) Each diving operation shall have a primary breathing gas supply sufficient to support divers for the duration of the planned dive including decompression.

(d) For dives deeper than 100 fsw or outside the no-decompression limits:

- (i) A separate dive team member shall tend each diver in the water;
- (ii) A standby diver shall be available while a diver is in the water;
- (iii) A diver-carried reserve breathing gas supply shall be provided for each diver except when heavy gear is worn; and
- (iv) A dive-location reserve breathing gas supply shall be provided.

(e) For heavy-gear diving deeper than 100 fsw or outside the no-decompression limits:

- (i) An extra breathing gas hose capable of supplying breathing gas to the diver in the water shall be available to the standby diver.
- (ii) An inwater stage shall be provided to divers in the water.
- (f) Except when heavy gear is worn or where physical space does not permit, a diver-carried reserve breathing gas supply shall be provided whenever the diver is prevented by the configuration of the dive area from ascending directly to the surface.

NEW SECTION

WAC 296-37-560 MIXED-GAS DIVING. (1) General. Employers engaged in mixed-gas diving shall comply with the following requirements, unless otherwise specified.

- (2) Limits. Mixed-gas diving shall be conducted only when:
 - (a) A decompression chamber is ready for use at the dive location; and
 - (i) A bell is used at depths greater than 220 fsw or when the dive involves inwater decompression time of greater than 120 minutes, except when heavy gear is worn or when diving in physically confining spaces; or
 - (ii) A closed bell is used at depths greater than 300 fsw, except when diving is conducted in physically confining spaces.
 - (b) A standby diver shall be available while a diver is in the water.
 - (c) A diver shall be stationed at the underwater point of entry when diving is conducted in enclosed or physically confining spaces.
 - (d) Each diving operation shall have a primary breathing gas supply sufficient to support divers for the duration of the planned dive including decompression.
 - (e) Each diving operation shall have a dive-location reserve breathing gas supply.
 - (f) When heavy gear is worn:
 - (i) An extra breathing gas hose capable of supplying breathing gas to the diver in the water shall be available to the standby diver, and
 - (ii) An inwater stage shall be provided to divers in the water.
 - (g) An inwater stage shall be provided for divers without access to a bell for dives deeper than 100 fsw or outside the no-decompression limits.

(h) When a closed bell is used, one dive team member in the bell shall be available and tend the diver in the water.

(i) Except when heavy gear is worn or where physical space does not permit, a diver-carried reserve breathing gas supply shall be provided for each diver:

(i) Diving deeper than 100 fsw or outside the no-decompression limits; or

(ii) Prevented by the configuration of the dive area from directly ascending to the surface.

NEW SECTION

WAC 296-37-565 **LIVEBOATING.** (1) General. Employers engaged in diving operations involving liveboating shall comply with the following requirements.

(2) Limits. Diving operations involving liveboating shall not be conducted:

(a) With an inwater decompression time of greater than 120 minutes;

(b) Using surface-supplied air at depths deeper than 190 fsw, except that dives with bottom times of 30 minutes or less may be conducted to depths of 220 fsw;

(c) Using mixed gas at depths greater than 220 fsw;

(d) In rough seas which significantly impede diver mobility or work function; or

(e) In other than daylight hours.

(3) Procedures. (a) The propeller of the vessel shall be stopped before the diver enters or exits the water.

(b) A device shall be used which minimizes the possibility of entanglement of the diver's hose in the propeller of the vessel.

(c) Two-way voice communication between the designated person-in-charge and the person controlling the vessel shall be available while the diver is in the water.

(d) A standby diver shall be available while a diver is in the water.

(e) A diver-carried reserve breathing gas supply shall be carried by each diver engaged in liveboating operations.

NEW SECTION

WAC 296-37-570 **EQUIPMENT.** (1) General. (a) All employers shall comply with the following requirements, unless otherwise specified.

(b) Each equipment modification, repair, test, calibration or maintenance service shall be recorded by means of a tagging or logging system, and include the date and nature of work performed, and the name or initials of the person performing the work.

(2) Air compressor systems. (a) Compressors used to supply air to the diver shall be equipped with a volume tank with a check valve on the inlet side, a pressure gauge, a relief valve, and a drain valve.

(b) Air compressor intakes shall be located away from areas containing exhaust or other contaminants.

(c) Respirable air supplied to a diver shall not contain:

(i) A level of carbon monoxide (CO) greater than 20 ppm;

(ii) A level of carbon dioxide (CO_2) greater than 1,000 ppm;

(iii) A level of oil mist greater than 5 milligrams per cubic meter, or

(iv) A noxious or pronounced odor.

(d) The output of air compressor systems shall be tested for air purity every six months by means of samples taken at the connection to the distribution system, except that non-oil lubricated compressors need not be tested for oil mist.

(3) Breathing Gas Supply Hoses. (a) Breathing gas supply hoses shall:

(i) Have a working pressure at least equal to the working pressure of the total breathing gas system;

(ii) Have a rated bursting pressure at least equal to four times the working pressure;

(iii) Be tested at least annually to 1.5 times their working pressure; and

(iv) Have their open ends taped, capped or plugged when not in use.

(b) Breathing gas supply hose connectors shall:

(i) Be made of corrosion-resistant materials;

(ii) Have a working pressure at least equal to the working pressure of the hose to which they are attached; and

(iii) Be resistant to accidental disengagement.

(c) Umbilicals shall: (i) Be marked in 10-foot increments to 100 feet beginning at the diver's end, and in 50 foot increments thereafter;

(ii) Be made of kink-resistant materials; and

(iii) Have a working pressure greater than the pressure equivalent to the maximum depth of the dive (relative to the supply source) plus 100 psi.

(f) Buoyancy Control (a) Helmets or masks connected directly to the dry suit or other buoyancy-changing equipment shall be equipped with an exhaust valve.

(b) A dry suit or other buoyancy-changing equipment not directly connected to the helmet or mask shall be equipped with an exhaust valve.

(c) When used for SCUBA diving, a buoyancy compensator shall have an inflation source separate from the breathing gas supply.

(d) An inflatable flotation device capable of maintaining the diver at the surface in a face-up position, having a manually activated inflation source independent of the breathing supply, an oral inflation device, and an exhaust valve shall be used for SCUBA diving.

(5) Compressed Gas Cylinders. (a) Compressed gas cylinders shall:

(i) Be designed, constructed and maintained in accordance with the applicable provisions of WAC 296-24-920 through 296-24-94003.

(ii) Be stored in a ventilated area and protected from excessive heat;

(iii) Be secured from falling; and

(iv) Have shut-off valves recessed into the cylinder or protected by a cap, except when in use or manifolded, or when used for SCUBA diving.

(6) Decompression Chambers. (a) Each decompression chamber manufactured after the effective date of this standard, shall be built and maintained in accordance with the ASME Code or equivalent.

(b) Each decompression chamber manufactured prior to the effective date of this standard shall be maintained in conformity with the code requirements to which it was built, or equivalent.

(c) Each decompression chamber shall be equipped with:

(i) Means to maintain the atmosphere below a level of 25% oxygen by volume;

(ii) Mufflers on intake and exhaust lines, which shall be regularly inspected and maintained;

(iii) Suction guards on exhaust line openings; and

(iv) A means for extinguishing fire, and shall be maintained to minimize sources of ignition and combustible material.

(7) *Gauges and Timekeeping Devices.* (a) Gauges indicating diver depth which can be read at the dive location shall be used for all dives except SCUBA.

(b) Each depth gauge shall be dead-weight tested or calibrated against a master reference gauge every six months, and when there is a discrepancy greater than two percent (2%) of full scale between any two equivalent gauges.

(c) A cylinder pressure gauge capable of being monitored by the diver during the dive shall be worn by each SCUBA diver.

(d) A timekeeping device shall be available at each dive location.

(8) *Masks and Helmets.* (a) Surface-supplied air and mixed-gas masks and helmets shall have:

(i) A non-return valve at the attachment point between helmet or mask and hose which shall close readily and positively; and

(ii) An exhaust valve.

(b) Surface-supplied air masks and helmets shall have a minimum ventilation rate capability of 4.5 acfm at any depth at which they are operated or the capability of maintaining the diver's inspired carbon dioxide partial pressure below 0.02 ATA when the diver is producing carbon dioxide at the rate of 1.6 standard liters per minute.

(9) *Oxygen Safety.* (a) Equipment used with oxygen or mixtures containing over forty percent (40%) by volume oxygen shall be designed for oxygen service.

(b) Components (except umbilicals) exposed to oxygen or mixtures containing over forty percent (40%) by volume oxygen shall be cleaned of flammable materials before use.

(c) Oxygen systems over 125 psig and compressed air systems over 500 psig shall have slow-opening shut-off valves.

(10) *Weights and harnesses.* (a) Except when heavy gear is worn, divers shall be equipped with a weight belt or assembly capable of quick release.

(b) Except when heavy gear is worn or in SCUBA diving, each diver shall wear a safety harness with:

(i) A positive buckling device;

(ii) An attachment point for the umbilical to prevent strain on the mask or helmet; and

(iii) A lifting point to distribute the pull force of the line over the diver's body.

NEW SECTION

WAC 296-37-575 RECORDKEEPING REQUIREMENTS. (1) *Recording and Reporting.* (a) The employer shall record and report occupational injuries and illnesses in accordance with requirements of Chapter 296-27 WAC and Chapter 296-350 WAC.

(b) The employer shall record the occurrence of any diving-related injury or illness which requires any dive team member to be hospitalized for 24 hours or more, specifying the circumstances of the incident and the extent of any injuries or illnesses.

(2) *Availability of records.* (a) Upon the request of the Director of the Department of Labor and Industries or his duly authorized designees, the employer shall make available for inspection and copying any record or document required by this standard.

NOTE: Requests for information or copies of records and reports by OSHA or NIOSH shall be made to the Director of the Department of Labor and Industries.

(b) Upon request of any employee, former employee or authorized representative, the employer shall make available for inspection and copying any record or document required by this standard which pertains to the individual employee or former employee.

(c) Records and documents required by this standard shall be retained by the employer for the following period:

(i) Dive team member medical records (physician's reports) (WAC 296-37-525) – five years;

(ii) Safe practices manual (WAC 296-37-530) – current document only;

(iii) Depth-time profile (WAC 296-37-540) – until completion of the recording of dive, or until completion of decompression procedure assessment where there has been an incident of decompression sickness;

(iv) Recording dive (WAC 296-37-545) one year, except five years where there has been an incident of decompression sickness;

(v) Decompression procedure assessment evaluations (WAC 296-37-545) – five years;

(vi) Equipment inspections and testing records (WAC 296-37-570) – current entry or tag, or until equipment is withdrawn from service;

(vii) Records of hospitalizations (WAC 296-37-575) – five years.

(d) After the expiration of the retention period of any record required to be kept for five years, the employer shall forward such records to the National Institute for Occupational Safety and Health, Department of Health, Education, and Welfare.

(e) In the event the employer ceases to do business:

(i) The successor employer shall receive and retain all dive and employee medical records required by this standard; or

(ii) If there is no successor employer, dive and employee medical records shall be forwarded to the National Institute for Occupational Safety and Health, Department of Health, Education, and Welfare.

NEW SECTION

WAC 296-37-580 EFFECTIVE DATE. This standard shall be effective on December 16, 1977, except that for provisions where decompression chambers or bells are required and such equipment is not yet available, employers shall comply as soon as possible thereafter but in no case later than May 20, 1978.

NEW SECTION

WAC 296-37-585 EXAMPLES OF CONDITIONS WHICH MAY RESTRICT OR LIMIT EXPOSURE TO HYPERBARIC CONDITIONS. (1) The following disorders may restrict or limit occupational exposure to hyperbaric conditions depending on severity, presence of residual effects, response to therapy, number of occurrences, diving mode, or degree and duration of isolation.

(a) History of seizure disorder other than early febrile convulsions.

(b) Malignancies (active) unless treated and without recurrence for five years.

(c) Chronic inability to equalize sinus and/or middle ear pressure.

(d) Cystic or cavitary disease of the lungs.

(e) Impaired organ function caused by alcohol or drug use.

(f) Conditions requiring continuous medication for control (e.g., antihistamines, steroids, barbiturates, moodaltering drugs, or insulin).

(i) Meniere's disease.

(ii) Hemoglobinopathies.

(iii) Obstructive or restrictive lung disease.

(iv) Vestibular end organ destruction.

(v) Pneumothorax.

(vi) Cardiac abnormalities (e.g., pathological heart block, valvular disease, intraventricular conduction defects other than isolated right bundle branch block, angina pectoris, arrhythmia, coronary artery disease).

(vii) Juxta-articular osteonecrosis.

REPEALER

The following sections of the Washington Administrative Code are each repealed:

(1) WAC 296-37-010 SCOPE AND APPLICATION.

(2) WAC 296-37-020 PURPOSE.

(3) WAC 296-37-030 DEFINITIONS.

(4) WAC 296-37-040 APPOINTMENT AND DUTIES OF COMMITTEES.

(5) WAC 296-37-050 CLASSIFICATION OF APPARATUS PERMITTED AND AIR PURITY.

(6) WAC 296-37-060 APPROVAL OF EQUIPMENT.

(7) WAC 296-37-070 DIVER REGISTRATION—DIVER TRAINING OR EXPERIENCE PHYSICAL EXAM AND MEDICAL HISTORY RECORD.

(8) WAC 296-37-071 FORM # 1. REPORT OF MEDICAL EXAMINATION.

(9) WAC 296-37-072 FORM # 2. MEDICAL HISTORY RECORD.

(10) WAC 296-37-080 GENERAL REQUIREMENTS, PROCEDURES AND TECHNIQUES.

(11) WAC 296-37-081 FORM # 3. SCUBA DIVING RECORD.

(12) WAC 296-37-082 ILLUSTRATIONS OF FLAGS AND SHAPES.

(13) WAC 296-37-090 RECOMPRESSION CHAMBER—TABLES—ATTENDANT.

(14) WAC 296-37-100 IDENTIFICATION.

(15) WAC 296-37-110 WAIVER OR VARIANCE.

(16) WAC 296-37-300 USE OF COMPRESSORS IN DIVING OPERATIONS.

(17) WAC 296-37-310 EQUIPMENT REQUIREMENTS—DIVERS AIR LINE, CHECK VALVES, ETC.

(18) WAC 296-37-320 —BARGE OPERATIONS.

(19) WAC 296-37-330 —AIR TOOLS USED IN UNDER-WATER OPERATIONS.

(20) WAC 296-37-340 —INSPECTION.

(21) WAC 296-37-350 SAFETY RULES—GENERALLY.

(22) WAC 296-37-360 —SUGGESTIONS MADE BY DIVER CONSIDERED RULE TO GOVERN.

(23) WAC 296-37-370 CONDITIONS ON BARGE DECK.

(24) WAC 296-37-380 USE OF TWO-WAY TELEPHONES.

(25) WAC 296-37-390 DECOMPRESSION CHAMBER—WHEN USED.

(26) WAC 296-37-395 SPECIAL STIPULATION REGARDING INEXPERIENCED DIVERS AND WORKMEN.

(27) WAC 296-37-400 —DIVER MAY CHOOSE TENDER.

(28) WAC 296-37-410 JUDGMENT OF DIVER TO TAKE PRECEDENT.

(29) WAC 296-37-420 REQUIREMENT ON ALL SHIP SURVEYS.

(30) WAC 296-37-430 USE OF FLOOD LIGHTS.

(31) WAC 296-37-440 RULES FOR COMPRESSED AIR OPERATIONS APPLICABLE TO DIVING OPERATIONS.

(32) WAC 296-37-450 AVAILABILITY OF LIFE PRESERVERS.

(33) WAC 296-37-460 CARE AND REPLACEMENT OF EQUIPMENT.

Reviser's Note: The above repealer was filed in the office of the Code Reviser on August 25, 1978.

**WSR 78-09-061
PROPOSED RULES**

**DEPARTMENT OF LABOR AND INDUSTRIES
(Apprenticeship Council)**
[Filed August 23, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and 49.04.010, that the Washington State Apprenticeship Council, Department of Labor and Industries intends to adopt, amend, or repeal rules concerning:

Amd WAC 296-04-300	Promulgation.
Amd WAC 296-04-330	Equal opportunity standards.
Amd WAC 296-04-340	Affirmative action.
Amd WAC 296-04-350	Selection of apprentices.
Amd WAC 296-04-360	Existing lists of eligibles.
Amd WAC 296-04-370	Records.
Amd WAC 296-04-400	Complaint procedure.
Amd WAC 296-04-410	Adjustments in schedule for compliance.
Amd WAC 296-04-420	Sanctions.
Amd WAC 296-04-440	Adoption of consistent state plans.
Amd WAC 296-04-460	Intimidatory or retaliatory acts.

Written and/or oral submissions may also contain data, views and arguments concerning the effect of the proposed rules or amendments of rules on economic values, pursuant to chapter 43.21H RCW.

The agency reserves the right to modify the text of these proposed rules prior to the public hearing thereon or in response to written or oral comments thereon received prior to or during the public hearing.

Correspondence relating to this notice and proposed rules attached should be addressed to:

Apprenticeship and Training Division
Department of Labor and Industries
318 E. 4th Avenue (Mail Stop: AX 31ad)
Olympia, WA 98504;

that such agency will at 10:00 a.m., Thursday, October 19, 1978, in the Davenport Hotel, W. 807 Sprague Avenue, Spokane, WA, conduct a hearing relative thereto; Adoption of rules regarding affirmative action for women in apprenticeship programs;

and that the adoption, amendment, or repeal of such rules will take place at 10:00 a.m., Thursday, October 19, 1978, in the Davenport Hotel, W. 807 Sprague Avenue, Spokane, WA.

The authority under which these rules are proposed is RCW 49.04.010 and 34.04.025.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to October 19, 1978, and/or orally at 10:00 a.m., Thursday, October 19, 1978, Davenport Hotel, W. 807 Sprague Avenue, Spokane, WA.

Dated: August 21, 1978
By: Hideo Naganawa
Chairman

AMENDATORY SECTION Amending Order No. 77-3, filed 1/25/77

WAC 296-04-300 PROMULGATION. WAC 296-04-300 through 296-04-480 of this chapter sets forth the affirmative action plan of the Washington State Apprenticeship and Training Council and establishes the policies and procedures to promote equality of opportunity in apprenticeship programs approved by the Washington

State Apprenticeship and Training Council and are adopted in accordance with the provisions of Title 29, Part 30 of the Code of Federal Regulations as amended and promulgated by the United States Department of Labor. These policies and procedures apply to the recruitment and selection of apprentices, and to all conditions of employment and training during apprenticeship; and the procedures established provide for review of apprenticeship programs, for registering apprenticeship programs, for processing complaints, and for deregistering noncomplying apprenticeship programs. These policies and procedures also provide for continued or withdrawal of recognition of apprenticeship programs. The purpose of the following sections is to promote equality of opportunity in apprenticeship by prohibiting discrimination based on race, color, religion, national origin, or sex in apprenticeship programs, by requiring affirmative action to provide equal opportunity in such apprenticeship programs, and by coordinating these policies and procedures with other equal opportunity programs. ((All sections of WAC 296-04-300 through 296-04-480 of this chapter addressing affirmative action for minorities shall also apply to women, except for WAC 296-04-340(4)(c).))

Reviser's Note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION Amending Order No. 77-3, filed 1/25/77

WAC 296-04-330 EQUAL OPPORTUNITY STANDARDS. Obligations of Sponsors. Each sponsor of an apprenticeship program shall:

(1) Recruit, select, employ and train apprentices during their apprenticeship, without discrimination because of race, color, religion, national origin, or sex; and

(2) Uniformly apply rules and regulations concerning apprentices, including but not limited to, equality of wages, periodic advancement, promotion, assignment of work, job performance, rotation among all work processes of the trade, imposition of penalties or other disciplinary action, and all other aspects of the apprenticeship program administered by the program sponsors; and

(3) Take affirmative action to provide equal opportunity in apprenticeship, including adoption of an affirmative action plan as required by the provisions of WAC 296-04-340.

(4) Equal Opportunity Pledge. Each sponsor of an apprenticeship program shall include in its standards the following equal opportunity pledge: "The recruitment, selection, employment, and training of apprentices during their apprenticeship shall be without discrimination because of race, color, religion, national origin, or sex. The sponsor will take affirmative action to provide equal opportunity in apprenticeship and will operate the apprenticeship program as required by the rules of the Washington State Apprenticeship Council and Title 29, Part 30 of the Code of Federal Regulations."

(5) Programs Presently Registered. Each sponsor of ((the)) a program registered with the Council as of the effective date of these rules shall within ((six months)) 90 days following that effective date take the following action:

(a) Include in the standards of its apprenticeship program the equal opportunity pledge prescribed by subsection (4) of this section; and

(b) Adopt an affirmative action plan as required by WAC 296-04-340; and

(c) Adopt a selection procedure as required by WAC 296-04-350. A sponsor adopting a selection method under WAC 296-04-350, subsections (2), (3) or (4) shall prepare and have available for submission upon request, copies of its amended standards, affirmative action plans, and selection procedure. A sponsor adopting a selection method under WAC 296-04-350, subsection (5), shall submit to the Council copies of its standards, affirmative action plan, and selection procedure in accordance with the requirements of WAC 296-04-350, subsection (5), subdivision (a).

(6) Sponsors Seeking New Registration. A sponsor of a program seeking new registration and approval of the Council shall submit copies of its proposed standards, affirmative action plan, selection procedures, and such other information as may be required. The program shall be registered and approved and such standards, affirmative action plan, and selection procedure meet the requirements of these rules.

(7) Programs Subject to Approved Equal Employment Opportunity Plans. A sponsor shall not be required to adopt an affirmative action plan under WAC 296-04-340, for a selection procedure under WAC

296-04-350, if it submits to the Council satisfactory evidence that it is ((subject to)) in compliance with an equal employment opportunity program providing for the selection of apprentices and for affirmative action in apprenticeship including goals and timetables for women and minorities which has been approved as meeting the requirements of Title VII of the Civil Rights Act of 1964, as amended, (42 U.S.C. 2000e, et seq.) ((or Executive Order 11246, as amended (30 F.R. 12319, 32 F.R. 14304, 34 F.R. 12986))) and ((the)) its implementing regulations published in Title 29 of the Code of Federal Regulations, Chapter XIV, or Executive Order 11246, as amended, and its implementing regulations at Title 41 of the Code of Federal Regulations, Chapter 60((:)); Provided, That programs approved, modified or renewed subsequent to the effective date of this amendment will qualify for this exception only if the goals and timetables for minorities and women for the selection of apprentices provided for in such programs are equal to or greater than the goals required under this part.

(8) Program with Fewer than Five Apprentices. A sponsor of a program in which fewer than five apprentices are indentured shall not be required to adopt an affirmative action plan under WAC 296-04-340, or a selection procedure under WAC 296-04-350((.)); Provided, That such program was not adopted to circumvent the requirements of this part.

Reviser's Note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

Reviser's Note: The typographical errors in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION Amending Order No. 77-3, filed 1/25/77

WAC 296-04-340 AFFIRMATIVE ACTION PLANS. (1) Adoption of a sponsor's commitment to equal opportunity in recruitment, selection, employment, and training of apprentices shall include the adoption of a written affirmative action plan.

(2) Definition of Affirmative Action. Affirmative action is not mere passive nondiscrimination. It includes procedures, methods and programs for the identification, positive recruitment, training, and motivation of present and potential minority ((group)) and female (minority and nonminority) apprentices((:)) including the establishment of goals and timetables. It is action which will equalize opportunity in apprenticeship so as to allow full utilization of ((minority group manpower potential)) the work potential of minorities and women. The overall result to be sought is equal opportunity in apprenticeship for all individuals participating in or seeking entrance to the labor force of this state.

(3) Outreach and Positive Recruitment. An acceptable affirmative action plan must also include adequate provisions for outreach and positive recruitment that would reasonably be expected to increase minority and female participation in apprenticeship by expanding the opportunity of ((minority persons)) minorities and women to become eligible for apprenticeship selection. In order to achieve these objectives, sponsors shall undertake activities such as those listed below. It is not contemplated that each sponsor necessarily will include all of the listed activities in its affirmative action program. The scope of the affirmative action program will depend on all the circumstances including the size and type of the program and its resources. However, the sponsor will be required to undertake a significant number of appropriate activities in order to enable it to meet its obligations under these rules. The affirmative action plan shall set forth the specific steps the sponsor intends to take in the areas listed below. Whenever special circumstances warrant, the Council may provide from any funds made available to it for such purpose, such financial or other assistance it deems necessary to implement the requirements of this paragraph.

(a) Dissemination of information concerning the nature of apprenticeship, requirements for admission to apprenticeship, availability of apprenticeship opportunities, sources of apprenticeship applications, and the equal opportunity policy of the sponsor. For programs accepting applications only at specified intervals, such information shall be disseminated at least 30 days in advance of the earliest date for application at each interval. For programs customarily receiving applications throughout the year, such information shall be regularly disseminated, but not less than semiannually. Such information shall be given to the Council, local schools, employment service offices, women's centers, outreach programs and community organizations which

can effectively reach ((minority groups)) minorities and women, and shall be published in newspapers which are circulated in the minority community and among women as well as the general areas in which the program sponsor operates.

(b) Participate in any workshops conducted by employment service agencies for the purpose of familiarizing school, employment service and other appropriate personnel with the apprenticeship system and current opportunities therein.

(c) Cooperation with the local school boards and vocational education systems to develop programs for preparing students to meet the standards and criteria required to qualify for entry into apprenticeship programs.

(d) Internal communication of the sponsor's equal opportunity policy in such a manner as to foster understanding, acceptance, and support among the sponsor's various officers, supervisors, employees, and members and to encourage such persons to take the necessary action to aid the sponsor in meeting its obligations under these rules.

(e) Engaging in such programs as outreach for the positive recruitment and preparation of potential applicants for apprenticeship; where appropriate and feasible, such programs shall provide for pretesting experience and training. If no programs are in existence, the sponsor shall seek to initiate these programs, or, when available, to obtain financial assistance from the Council. In initiating and conducting these programs, the sponsor may be required to work with other sponsors and appropriate community organizations. The sponsor shall also initiate programs to prepare women and encourage women to enter traditionally male programs.

(f) To encourage the establishment and utilization of programs of preapprenticeship, preparatory trade training, or others designed to afford related work experience or to prepare candidates for apprenticeship, a sponsor shall make appropriate provision in its affirmative action plan to assure that those who complete such programs are afforded full and equal opportunity for admission into the apprenticeship program.

(g) Utilization of ((journeymen)) journeypersons to assist in the implementation of the sponsor's affirmative action program.

(h) Granting advance standing or credit on the basis of previously acquired experience, training, skills, or aptitude for all applicants equally.

(i) Admitting to apprenticeship persons whose age exceeds the maximum age for admission to the program, where such action is necessary to assist the sponsor in achieving its affirmative action obligations.

(j) ((Such other)) Appropriate action as to ((assure)) ensure that the recruitment, selection, employment, and training of apprentices during apprenticeship, shall be without discrimination because of race, color, religion, national origin, or sex; such as: general publication of apprenticeship opportunities and advantages in advertisements, industry reports, articles, etc.; use of present minority and female apprentices and ((journeymen)) journeypersons as recruiters; career counseling; periodic auditing of affirmative action programs and activities; and development of reasonable procedures between the sponsor and the employers of apprentices to ((insure)) ensure that equal employment opportunity is being granted including reporting systems, on site reviews, briefing sessions, etc. The affirmative action programs shall set forth the specific steps the sponsors ((program under this subsection (3) sponsors)) intend to take in the above areas under this subsection (3). Whenever special circumstances warrant, the Council may provide such financial or other assistance from funds available to it for that purpose, as it deems necessary to implement the above requirements.

(4) Goals and Timetables. (a) A sponsor adopting a selection method under WAC 296-04-350, (2) or (3) which determines on the basis of analysis described in subdivision (e) ((and (f) as applicable of this subsection)) that it has deficiencies in terms of ((the)) underutilization of minorities and/or women (minority and nonminority) in the craft or crafts represented by the program shall include in its affirmative action plan percentage goals and timetables for the admission of minority and/or female (minority and nonminority) applicants into the eligibility pool.

(b) A sponsor adopting a selection method under WAC 296-04-350, (4) or (5), which determines on the basis of the analysis described in subdivision (e) ((and (f) as applicable under this subsection)) that it has deficiencies in terms of the underutilization of the minorities and/or women in the craft or crafts represented by the program shall include in its affirmative action plan percentage goals and timetables for the selection of minority and female (minority and nonminority) applicants for the apprenticeship program.

(c) "Underutilization: as used in this subsection refers to the situation where there are fewer minorities and/or women (minority and nonminority) in the particular craft or crafts represented by the program than would reasonably be expected in view of an analysis of the specific factors in subdivision (e) ((and (f) as applicable,)) of this ((subsection,)) section ((below)). Where, on the basis of the analysis, the sponsor determines that it has no deficiencies, no goals and timetables need be established. However, where no goals and timetables are established, the affirmative action plan shall include a detailed explanation why no goals and timetables have been established.

(d) Where the sponsor fails to submit goals and timetables as part of its affirmative action plan or submits goals or timetables which are unacceptable, and the Council determines that the sponsor has deficiencies in terms of underutilization of minorities ((and)) or women (minority and nonminority) within the meaning of this section, the Council shall establish goals and timetables applicable to the sponsor for the admission of minority and female (minority and nonminority) applicants into the eligibility pool or selection of apprentices, as appropriate. The sponsor shall make good faith efforts to obtain these goals and timetables in accordance with the requirements of this section.

(e) Analysis to Determine if Deficiencies Exist ((for Minorities)). The sponsor's determination as to whether goals and timetables shall be established ((for minorities)) shall be based on an analysis of at least the following factors, which analysis shall be set forth in writing as part of the affirmative action plan.

((i) ((The minority population of the labor market in which the program sponsor operates:)) The size of the working age minority and female (minority and nonminority) population in the program sponsor's labor market area;

((ii) The size of the minority and female (minority and nonminority) labor force in the program sponsor's labor market area;

((iii) The percentage of the minority and female (minority and nonminority) participation as apprentices in the particular craft as compared with the percentage of minorities and women (minority and nonminority) in the labor force in the program sponsor's labor market area;

((iv) The percentage of minority and female (minority and nonminority) participation as ((journeymen)) journeypersons employed by the employer or employers participating in the program as compared ((by)) with the percentage of minorities and women (minority and nonminority) in the sponsor's labor market area and the extent to which the sponsor should be expected to correct any deficiencies through the achievement of goals and timetables for the selection of apprentices;

((v) The general availability of minorities and women (minority and nonminority) with present or potential capacity for apprenticeship in the program sponsor's labor market area.

((f) Analysis to Determine if Deficiencies Exist for Women. The sponsor's determination as to whether goals and timetables shall be established for women, shall be based on an analysis of at least the following factors, which analysis shall be set forth in writing as part of the affirmative action plan.))

((i) The size of the female unemployment force in the labor market in which the program sponsor operates;))

((ii) The percentage of the female workforce as compared with the total workforce in the program sponsor's labor market area;))

((iii) The availability of women meeting the program entrance requirements in the program sponsor's labor market area;))

((iv) The percentage of female participation as journeymen employed by the employer or employers participating in the program as compared by the percentage of women in the workforce in the sponsor's labor market area;))

((v) The general availability of women with interest and present or potential capacity for apprenticeship in the program sponsor's labor market area;))

((g))) (f) Establishment and Attainment of Goals and Timetables. The goals and timetables shall be established on the basis of the sponsor's analysis of its underutilization of minorities and women and its entire affirmative action program. A single goal for minorities and a separate single goal for women is acceptable unless a particular group is employed in a substantially disparate manner in which case separate goals shall be established for such group. Such separate goals would be required, for example, if a specific minority group of women were underutilized even though the sponsor had achieved its standards for women generally. In establishing the goals, the sponsor should consider the results which could be reasonably expected from its good faith efforts to make its overall affirmative action program work. Compliance

with these requirements shall be determined by whether the sponsor has met its goals within its timetable, or failing that, whether it has made good faith efforts to meet its goals and timetables. Its "good faith efforts" shall be judged by whether it is following its affirmative action program and attempting to make it work, including evaluation and changes in its program were necessary to attain the maximum effectiveness toward the attainment of its goals. However, in order to deal fairly with program sponsors, and with women who are entitled to protection under the goals and timetables requirements, during the first 12 months after the effective date of these regulations, the program sponsor would generally be expected to set a goal for women for the entering year class at a rate which is not less than 50 percent of the proportion women are of the workforce in the program sponsor's labor market area and set a percentage goal for women in each class beyond the entering class which is not less than the participation rate of women currently in the preceding class. At the end of the first 12 months after the effective date of these regulations, sponsors are expected to make appropriate adjustments in goal levels. See WAC 296-04-370(2).

((h)) (g) Data and Information. The supervisor shall make available to program sponsors data and information on minority ((population)) and female (minority and nonminority) labor force characteristics for each Standard Metropolitan Statistical Area, and for other special areas as appropriate.

Reviser's Note: The typographical errors in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION Amending Order No. 71-13, filed 10/28/71

WAC 296-04-350 SELECTION OF APPRENTICES. (1) Obligations of Sponsors. In addition to development of a written affirmative action plan to ((insure)) ensure that minorities and women have an equal opportunity for selection as apprentices and otherwise ((insure)) ensure the prompt achievement of full and equal opportunity in apprenticeship, each sponsor shall further provide in its affirmative action program that the selection of apprentices shall be made under one of the methods specified in the following subsections (2) through (5) of this section.

(2) Selection Methods. The sponsor shall adopt one of the following methods of selecting apprentices:

(a) Selection on Basis of Rank from Pool of Eligible Applicants. A sponsor may select apprentices from a pool of eligible applicants created in accordance with the requirements of subdivision (c) of this subsection on the basis of the rank order of scores of applicants on one or more qualifications standards where there is a significant statistical ((and practical)) relationship between rank order of scores and performance in the apprenticeship program. In demonstrating such relationship, the sponsor shall follow the procedure set forth in ((the Department of Labor order of September 9, 1968 (33 F.R. 14392, Sept. 24, 1968), covering the validation of employment tests of contractors and subcontractors subject to the provisions of Executive Order 11246, as amended)) Guidelines on Employee Selection Procedures published at 41 CFR Part 60-3.

(b) Requirements. The sponsor adopting this method of selecting apprentices shall meet the requirements of subdivisions (c) through (g) of this subsection.

(c) Creation of Pool of Eligibles. A pool of eligibles shall be created from applicants who meet the qualifications of minimum legal working age and the sponsor's minimum physical requirements; or from applicants who meet qualification standards in addition to minimum legal working age: ((and the sponsor's minimum physical requirements,)) Provided, That any additional qualification standards conform with the following requirements:

(i) Qualification Standards. The qualification standards and the procedures for determining such qualification standards shall be stated in detail and shall provide criteria for the specific factors and attributes to be considered in ((evaluation of)) evaluating applicants for admission to the pool. The score required under each qualification standard for admission to the pool shall also be specified. All qualification standards, and the score required on any standard for admission to the pool, shall be directly related to job performance, as shown by a significant statistical ((and practical)) relationship between the score ((on the standards, and the score)) required for admission to the pool, and performance in the apprenticeship program. In demonstrating such ((relationships)) relationship, the sponsor shall follow the procedures

set forth in ((the United States Department of Labor's testing order of September 9, 1968)) 41 CFR Part 60-3. Qualifications shall be considered as separately required so that the failure of an applicant to obtain the specified score under a single qualification standard shall disqualify the applicant from admission to the pool.

(ii) Aptitude Tests. Any qualification standard for admission to the pool consisting of aptitude test scores shall be directly related to job performance, as shown by significant statistical ((and practical)) relationships between the score on the aptitude ((test)) tests ((and the score)) required for admission to the pool, and performance in the apprenticeship program. In determining such ((relationships)) relationship, the sponsor shall follow the procedures set forth in ((the United States Department of Labor's testing order of September 9, 1968)) 41 CFR Part 60-3. The requirements of this item (ii) shall also be applicable to aptitude tests utilized by a program sponsor which are administered by a state employment ((service)) agency, ((a private employment agency;)) or any other person, agency or organization engaged in the selection or evaluation of personnel. A national test developed and administered by a national joint apprenticeship committee will not be approved by the United States Department of Labor unless such test meets the requirements of this subdivision.

(iii) Educational Attainments. All educational attainments or achievements as qualifications for admission to the pool shall be directly related to job performance, as shown by a significant statistical ((and practical)) relationship between the score((, and the score)) required for admission to the pool((;)) and performance in the apprenticeship program. In demonstrating such ((relationships)) relationship, the sponsor shall meet the requirements of ((the United States Department of Labor's testing order of September 9, 1968)) 41 CFR Part 60-3. School records or ((the results of)) a passing grade on the general educational development tests recognized by the State or local public instruction authority shall be evidence of educational achievement. Education requirements shall be applied uniformly to all applicants.

(d) Oral Interviews. Oral interviews shall not be used as a qualification standard for admission into an eligibility pool. However, once an applicant is placed in the eligibility pool, and ((before he is selected)) prior to selection for apprenticeship from the pool, he or she may be required to submit to an oral interview. Oral interviews shall be limited to ((only)) such objective questions as may be required to determine the fitness of applicants to enter the apprenticeship program, ((which)) but shall not include questions relating to qualifications previously determined in gaining entrance to the eligibility pool. When an oral interview is used, each interviewer shall record ((his)) the questions((;)) and the general nature of the applicant's answers, and shall prepare a summary of any conclusions. Each ((applicants)) applicant rejected from the pool of eligibles on the basis of an oral interview shall be given a written statement of such rejection, the reasons therefor, and the appeal rights available to the applicant.

(e) Notification of Applicants. All applicants who meet the requirements for admission shall be notified and placed in the eligibility pool. The program sponsors shall give each rejected applicant who is not selected for the pool or the program notice of his or her rejection, including the reason for ((his)) the rejection, the requirements for admission to the pool of the eligibles, and the appeal rights available to the applicant.

(f) Goals and Timetables. The sponsor shall establish, where required by WAC 296-04-340(4), percentage goals and timetables for the admission of ((minority persons)) minorities and women (minority and nonminority) into the pool of eligibles in accordance with the provisions of WAC 296-04-340(4), (a) through (f).

(g) Compliance. A sponsor shall be deemed to be in compliance with its commitments under subdivision (f) of this subsection (2) if it meets its goals or timetables or if it makes a good faith effort to meet these goals and timetables. In the event of the failure of the sponsor to meet ((his)) its goals and timetables, it shall be given an opportunity to demonstrate that it has made every "good faith effort" to meet its commitments (see WAC 296-04-430(4)(f)). All the actions for the sponsor shall be reviewed and evaluated in determining whether such good faith efforts have been made.

(3) Random Selection from Pool of Eligible Applicants.

(a) Selection. A sponsor may select apprentices from a pool of eligible applicants on a random basis. The method of random selection is subject to approval by the Council. Supervision of the random selection process shall be ((any)) an impartial person or persons selected by the sponsor, but not associated with the administration of the apprenticeship program. The time and place of the selection, and the number of

apprentices to be selected, shall be announced. The place of the selection shall be open to all applicants and the public. The names of apprentices drawn by this method shall be posted immediately following the selection at the program sponsor's place of business.

(b) Requirements. The sponsor adopting this method of selecting apprentices shall meet the requirements of subdivisions (c) through (e) of subsection ((3)) (2) of this section relating to the creation of a pool of eligibles, oral interviews and notification of applicants.

(c) Goals and Timetables. The sponsor shall establish where required by WAC 296-04-340(4), percentage goals and timetables for the admission of ((minority persons)) minorities and women (minority and nonminority) into the pool of eligibles in accordance with the provisions of WAC 296-04-340(4), (d) through (f).

(d) Compliance. Determinations as to the sponsor's compliance with its obligations under these rules shall be in accordance with the provisions of subdivision (g) of subsection (2) of this section.

(4) Selection from Pool of Current Employees.

(a) Selection. A sponsor may select apprentices from an eligibility pool of the workers already employed by the program sponsor in a manner prescribed by a collective bargaining agreement where such exists, or by the sponsor's established promotion policy. The sponsor adopting this method of selecting apprentices shall establish goals and timetables for the selection of minority and female apprentices, unless the sponsor concludes, in accordance with the provisions of WAC 296-04-340(4), (d) through (f), that it does not have deficiencies in terms of underutilization of minorities and/or women (minority and nonminority) in the apprenticeship of ((journeymen)) journeyperson crafts represented by the program.

(b) Compliance. The determination as to the sponsor's compliance with its obligations under these regulations shall be in accordance with the provisions of subdivision (g) of subsection (2) of this section.

(5) Alternative Selection Methods. Selection. The sponsor may select apprentices by means of any other method, including its present selection method: PROVIDED, That the sponsor meets the following requirements:

(a) Selection Method and Goals and Timetables. Within ((six months)) 90 days of the effective date of these rules, the sponsor shall submit to the Council, through its Supervisor, ((a detailed statement of)) the revised selection method it proposes to use along with the rest of its written affirmative action program including, where required by WAC 296-04-340(4), its percentage goals and timetables for the selection of minority and/or female (minority and nonminority) applicants for apprenticeship and its written analysis, upon which such goals and timetables, or lack thereof, are based. The establishment of goals and timetables shall be in accordance with the provisions of WAC 296-04-340(4), (d) through (f). The sponsor may not implement any such selection method until the Council has approved the selection method as meeting the requirements of subdivision (b) of this subsection (5) and has approved the remainder of its affirmative action program including its goals and timetables. If the Council fails to act upon the selection method and the affirmative action program within 30 days of its submission, the sponsor then may implement the selection method until acted upon by the Council.

(b) Qualification Standards. Apprentices shall be selected on the basis of objective and specific qualification standards. Examples of such standards ((as)) are fair aptitude tests, school diplomas or equivalent, ((age requirements;)) occupationally essential ((physical)) health requirements, fair interviews, school grades, and previous work experience. Where interviews are used, adequate records shall be kept including a brief summary of each interview and the conclusions on each of the specific factors, e.g., motivation, ambition, and willingness to accept direction which are part of the total judgment. In applying any such standards, the sponsor shall meet the requirements of 41 CFR Part 60-3.

(6) Compliance. Determination as to the sponsor's compliance with its obligations under these regulations shall be in accordance with the provisions of subdivision (g) of subsection (2) of this section. Where a sponsor, despite its good faith efforts, fails to meet its goals and timetables within a reasonable period of time, the sponsor may be required to make appropriate changes in its affirmative action program to the extent necessary to obtain maximum effectiveness toward the attainment of its goals. The sponsor may also be required to develop and adopt an alternative selection method, including a method prescribed by the Council where it is determined that the failure of the sponsor to meet its goals is attributable in substantial part to the selection method. Where the sponsor's failure to meet its goals is attributable in substantial part to its use of the qualification standard which has adversely

affected the opportunities of ((minority persons)) minorities and/or women (minority and nonminority) for apprenticeship, the sponsor may be required to demonstrate that such qualification standard is directly related to job performance, in accordance with the provisions of subsection (2), subdivision (c), item (i), of this section.

Reviser's Note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

Reviser's Note: The typographical errors in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION Amending Order No. 71-13, filed 10/28/71

WAC 296-04-360 EXISTING LISTS OF ELIGIBLES AND PUBLIC NOTICE. A sponsor adopting a selection method under WAC 296-04-350, subsections (2) or (3), and a sponsor adopting a selection method under WAC 296-04-350, subsection (5), who determines that there are fewer minorities and/or women (minority and nonminority) on its existing list of eligibles than would be reasonably expected in view of the analysis described in WAC 296-04-340, subsection (4), subdivision (e), shall discard all existing eligibility lists upon adoption of the selection methods required by these rules. New eligibility pools shall be established and lists of eligibility pools shall be posted at the sponsor's place of business. Sponsor shall establish a reasonable period of not less than two weeks for accepting applications for admission to the apprenticeship program. There shall be at least 30 days of public notice in advance of the earliest date for application for admission to the apprenticeship program((::)) (see WAC 296-04-340(3) on affirmative action with respect to dissemination of information). Applicants who have been placed in a pool of eligibles shall be retained on lists of eligibles subject to selection for a period of two years. Applicants may be removed from the list at an ((early)) earlier date by their request or following their failure to respond to an apprentice job opportunity given by ((registered return receipt)) certified mail ((notice)), return receipt requested. Applicants who have been accepted in the program shall be afforded a reasonable period of time in light of the customs and practices of the industry for reporting for work. All applicants shall be treated equally in determining such period of time. It shall be the responsibility of the applicant to keep the sponsor informed of his or her current mailing address. Upon request, a sponsor may restore to the list of eligibles ((an applicant)) applicants who ((has)) have been removed from the list ((at his request)) or who have failed to respond to an apprenticeship job opportunity.

Reviser's Note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION Amending Order No. 71-13, filed 10/28/71

WAC 296-04-370 RECORDS. Obligations of Sponsors. (1) Each sponsor shall keep adequate records including a summary of the qualifications of each applicant, the basis for evaluation and for selection or rejection of each applicant, the records pertaining to the interviews of applicants, the original application for each applicant, information relative to the operation of the apprenticeship program, including but not limited to job assignment, promotion, demotion, layoff, or termination, rates of pay, or other forms of compensation or conditions of work, and separately, hours of training provided, and any other records pertinent to the determination of compliance with these regulations as may be required by the Council. The records pertaining to the individual applicants, ((whether)) selected or rejected, shall be maintained in such manner as to permit identification of minority and female (minority and nonminority) participants.

(2) **Affirmative Action Plans.** Each sponsor must retain a statement of its affirmative action plan required by WAC 296-04-340 for the prompt achievement of full and equal opportunity in apprenticeship, including all data and analysis made pursuant to the requirements of WAC 296-04-340. Sponsors shall ((periodically)) review their affirmative action ((plan)) plans annually and update ((it)) them where necessary((::)), including the goals and timetables.

(3) **Qualification Standards.** Each sponsor must maintain evidence that its qualification standards have been validated in accordance with the requirements set forth in WAC 296-04-350, subsection (2).

(4) **Records of State Apprenticeship Council.** The records of the Council shall be kept in the offices of the supervisor, which records shall include registration requirements, individual program standards, registration records, program compliance reviews and investigations, and any other records pertinent to the determination of compliance with these rules, as may be required by the United States Department of Labor, and shall report to the Department as may be required.

(5) **Maintenance of Records.** The records required by these rules (WAC 296-04-300 through 296-04-480) and any other information relevant to compliance with Part 30 of Title 29 of the Code of Federal Regulations shall be maintained for five years and made available upon request to the United States Department of Labor or other authorized representative.

Reviser's Note: The typographical errors in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

Reviser's Note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION Amending Order No. 71-13, filed 10/28/71

WAC 296-04-400 COMPLAINT PROCEDURE. (1) **Filing.** (a) Any apprentice or applicant for apprenticeship who believes that he or she has been discriminated against on the basis of race, color, religion, national origin, or sex with regard to apprenticeship or that the equal opportunity standards with respect to his or her selection have not been followed in the operation of an apprenticeship program may, ((by himself or by)) personally or through an authorized representative, file a complaint with the Council, or, at the apprentice's or applicant's election, with a private review body established pursuant to subdivision (c) of this subsection (1). The complaint shall be in writing and shall be signed by the complainant. It must include the name, address, and telephone number of the person allegedly discriminated against, the program sponsor involved, and a brief description of the circumstances of the failure to apply the equal opportunity standards provided for in these rules.

(b) The complaint must be filed not later than ((90)) 180 days from the date of the alleged discrimination ((of)) or specified failure to follow the equal opportunity standards; and, in the case of complaints filed directly with review bodies designated by program sponsors to review such complaints, any referral of such complaint by the complainant to the Council must occur within the time limitation stated above or 30 days from the final decision of such review body, whichever is later. The time may be extended by the Council for good cause shown.

(c) Sponsors are encouraged to establish fair, speedy, and effective procedures for a review body to consider complaints of failure to follow the equal opportunity standards. A private review body established by the program sponsor for ((that)) this purpose should number three or more responsible persons from the community serving in ((the)) this capacity without compensation. Members of the review body should not be directly associated with the administration of an apprenticeship program. Sponsors may join together in establishing a review body to serve the needs of programs within the community.

(2) Processing of Complaints.

(a) When the sponsor has designated a review body for reviewing complaints, ((and if)) the Council, unless the complainant has indicated otherwise or unless the Council has ((determines)) determined that ((such)) the review body will not effectively enforce the equal opportunity standards, the supervisor, upon receiving a complaint, shall refer the complaint to the review body.

(b) The supervisor shall, within 30 days following the referral of the complaint to the review body, obtain the reports from the complainant and the review body as to the disposition of the complaint. If the complaint has been satisfactorily adjusted and there is no other indication of failure to apply equal opportunity standards, the case shall be closed and the parties appropriately informed.

(c) When a complaint has not been resolved by the review body within 90 days or where, despite satisfactory resolution of the particular complaint by the review body, there is evidence that equal opportunity practices of the apprenticeship program are not in accordance with these rules, the Council may conduct such compliance review as

found necessary, and will take all necessary steps to resolve the complaint.

(3) Where no review body exists, the Council may conduct such compliance review as found necessary in order to determine the facts of the complaint, and obtain such other information relating to compliance with these regulations as the circumstances warrant.

(4) Sponsors shall provide written notice of the above complaint procedure to all applicants for apprenticeship and all apprentices.

Reviser's Note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION Amending Order No. 71-13, filed 10/28/71

WAC 296-04-410 ADJUSTMENTS IN SCHEDULE FOR COMPLIANCE REVIEW OR COMPLAINT PROCESSING. If in the judgment of the Council, a particular situation warrants and requires special processing, and either expedited or extended determination, it shall take the steps necessary to permit such determination, if it finds that no person or party affected by such determination will be prejudiced by such special processing.

AMENDATORY SECTION Amending Order No. 76-4, filed 2/20/76

WAC 296-04-420 SANCTIONS. (1) Where the supervisor, as a result of a compliance review or other reason, determines that there is reasonable cause to believe that an apprenticeship program is not operating in accordance with these rules and voluntary corrective action has not been taken by the program sponsor, the Council shall institute proceedings to deregister the program((::)) or it shall refer the matter to the Equal Employment Opportunity Commission or to the Attorney General with recommendations for the institution of a court action under Title VII of the Civil Rights Act of 1964, as amended, or to the Attorney General for other court action as authorized by law.

(2) The deregistration proceedings shall be conducted according to the following procedures:

(a) The Council shall notify the sponsor, in writing, that a determination of reasonable cause has been made under subsection (1) of this section and that the apprenticeship program may be deregistered unless, within 15 days of the receipt of the notice, the sponsor requests a hearing. The notification shall specify the facts on which the determination is based.

(b) If within 15 days of the receipt of the notice provided for in subdivision (a) of this subsection (2), the sponsor mails a request for hearing, the supervisor shall convene an appropriate hearing.

(c) The Council shall make a final decision on the basis of the record before it, which shall consist of the compliance review file and other evidence presented. In its discretion, the Council may allow the sponsor a reasonable time to achieve voluntary corrective action. If the Council's decision is that the apprenticeship program is not operating in accordance with these rules, the apprenticeship program may be deregistered. In each case in which deregistration is ordered, the Council shall make public notice of the order and shall notify the sponsor and the complainant, if any.

Reviser's Note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION Amending Order 71-13, filed 10/28/71

WAC 296-04-440 ADOPTION OF CONSISTENT STATE PLANS. All apprenticeship programs registered with the Council shall comply with the requirements of WAC 296-04-300 through 296-04-480 within ((one year)) 90 days after the effective date of these rules.

(1) The United States Department of Labor shall have authority to conduct compliance reviews to determine whether the Washington State affirmative action plan or any state apprenticeship program registered with the Council is being administered or operated in accordance with the provisions of Title 29, Part 30 of the Code of Federal Regulations.

(2) It shall be the responsibility of the Council to take the necessary action to bring a noncomplying program into compliance with these rules. In the event the Council fails to fulfill this responsibility, the

Secretary of the United States Department of Labor may withdraw the recognition for Federal purposes of any or all State apprenticeship programs, in accordance with the procedures for deregistration of programs registered by the Department, or refer the matter to the Attorney General of the United States with a recommendation for the institution by the Attorney General of a court action under Title VII of the Civil Rights Act of 1964.

(3) The Council shall notify the United States Department of Labor of any State apprenticeship program disapproved and deregistered by it.

(4) Any state apprenticeship program disapproved and deregistered by the Council for noncompliance with the requirements of these rules or Title 29, Part 30 of the Code of Federal Regulations may, within 15 days of the receipt of the notice of disapproval and deregistration, appeal to the United States Department of Labor to set aside the determination of the State Apprenticeship and Training Council. The Department shall make its determination on the basis of the record. The Department may grant the State program sponsor, the State Apprenticeship and Training Council, and the complainant, if any, the opportunity to present oral or written argument.

(5) Withdrawal of Recognition. Whenever the United States Department of Labor determines that reasonable cause exists to believe that the Council has not adopted or implemented a plan in accordance with the equal opportunity requirements of Title 29, Part 30 of the Code of Federal Regulations, it shall give notice to the Council and to appropriate state sponsors of this determination, stating specifically wherein the state's plan failed to meet such requirements and the United States Department of Labor proposes to withdraw recognition for Federal purposes from the State Apprenticeship and Training Council unless within 15 days of the receipt of the notice, the Council complies with the provisions of Title 29, Part 30, of the Code of Federal Regulations or mails a request for a hearing to the Secretary of the United States Department of Labor.

(6) If within 15 days of the receipt of the notice provided for in subsection (5) of this section, the Council neither complies with the provisions of Title 29, Part 30 of the Code of Federal Regulations, nor mails a request for a hearing, the Secretary of the United States Department of Labor shall ((determine whether the Council has adopted or implemented a plan in accordance with the equal opportunity requirements of Title 29, Part 30 of the Code of Federal Regulations)) notify the Council of the withdrawal of recognition.

(7) If within 15 days of the receipt of the notice provided for in subsection (5) of this section, the Council mails a request for a hearing, the Secretary of the United States Department of Labor shall proceed in accordance with Title 29, Section 30.16 of the Code of Federal Regulations.

(8) If a hearing is conducted in accordance with Title 29, Section 30.16 of the Code of Federal Regulations, the Secretary of the United States Department of Labor upon receipt of the proposed findings and recommended decision of the hearing officer shall make a final decision ((of)) whether the Council has adopted or implemented a plan in accordance with equal opportunity requirements of Title 29 of Part 30 of the Code of Federal Regulations.

(9) If the Secretary of the United States Department of Labor determines to withdraw from recognition, for Federal purposes, from the State Apprenticeship and Training Council, ((he)) the Secretary shall notify the Council of ((his)) this determination. ((He)) The Secretary shall also notify the state's sponsors that within 30 days of the receipt of the Notice the United States Department of Labor shall cease to recognize, for Federal purposes, each state apprenticeship program unless the state program sponsor requests registration with the Department. Such registration may be granted contingent upon finding that the state apprenticeship and training program is operating in accordance with the requirements of Title 29, Part 30 of the Code of Federal Regulations.

(10) If the Secretary of the United States Department of Labor determines to withdraw recognition, for Federal purposes, from the State Apprenticeship and Training Council, such recognition may be reinstated upon presentation of adequate evidence to the Secretary of the United States Department of Labor that the Council has adopted and implemented a plan carrying out the equal opportunity requirements of Title 29, Part 30 of the Code of Federal Regulations.

Reviser's Note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION Amending Order No. 71-13, filed 10/28/71

WAC 296-04-460 INTIMIDATORY OR RETALIATORY ACTS. Any intimidation, threat, coercion, or retaliation by or with the approval of any sponsor against any person for the purpose of interfering with any right or privilege secured by Title VII of the Civil Rights Act of 1964, as amended, Executive Order 11246, as amended, ((of September 24, 1965)) or because he or she has made a complaint, testified, assisted or participated in any manner in ((an)) any investigation proceeding, or hearing under these rules or Title 29, Part 30 of the Code of Federal Regulations shall be considered noncompliance with the equal opportunity standards of these rules. The identity of complainants shall be kept confidential except to the extent necessary to carry out the purpose of these rules, including the conduct of any investigation, hearing, or judicial proceeding arising therefrom.

Reviser's Note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.


**WSR 78-09-062
ADOPTED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)**
[Order 1331—Filed August 24, 1978]

I, David Hogan, Exec. Assist. of the Department of Social and Health Services do promulgate and adopt at Olympia, Washington, the annexed rules relating to loss, theft or destruction of warrant payable to recipient, amending WAC 388-33-576.

This action is taken pursuant to Notice No. WSR 78-07-046 filed with the code reviser on 6/28/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the secretary of Department of Social and Health Services as authorized in RCW 74.08.090.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 16, 1978.

By David Hogan
Executive Assistant

AMENDATORY SECTION (Amending Order 1164, filed 10/27/76)

WAC 388-33-576 LOSS, THEFT OR DESTRUCTION OF WARRANT PAYABLE TO RECIPIENT. (1) The legal authority for issuing a duplicate warrant is found in RCW 43.08.064 and ((RCW)) 43.08.066.

(2) A recipient payee reporting to the ESSO that he has not received his warrant or that his unendorsed warrant has been lost, stolen or destroyed is given full consideration. The ESSO shall have the recipient payee complete an affidavit or affidavits attesting to the reported facts.

(3) The ESSO shall secure all facts surrounding the nonreceipt or loss reported in subsection (2), assess the

reported facts and make a judgment as to the validity of the report, determine a course of appropriate action, and inform the recipient, record the details of the report and the decision in the financial record.

(4) In cases where the facts surrounding the nonreceipt or loss are clear and the ESSO is satisfied a loss has occurred a ((request for an exception to policy shall be made to the regional office for replacement assistance)) replacement warrant shall be issued.

(5) In cases where the facts surrounding the nonreceipt or loss are not clear and question remains as to the validity of the nonreceipt or loss, a request for replacement is made directly to the ((general audit unit)) disbursements section. Replacement will be made only after further investigation is completed and validity of the nonreceipt or loss is verified.

(6) A report which indicates a warrant is lost in the mail system will be held in abeyance for ((+0)) five working days from the mailing date of the warrant to allow the warrant to be delivered or returned to the ESSO. If the recipient ((is unable to wait 10 days a request for an exception to policy shall be made to the regional office to waive the 10 day waiting period)) has an emergent situation, the five day period may be waived by the ESSO administrator.

(7) ((A loss or nonreceipt reported to the ESSO 60 days or more after the mailing date of the warrant will not be replaced by an exception to policy.)) Replacement must be requested directly from ((general audit unit)) disbursements when a loss or nonreceipt is reported to the ESSO sixty days or more after the mailing date of the warrant.

(8) An unendorsed warrant which is lost, stolen or destroyed shall be replaced in full. Restrictively or specially endorsed warrants shall be deemed to be unendorsed warrants for the purposes of this subsection.

(9) An endorsed warrant which is lost, stolen or destroyed shall be considered under the rules in WAC 388-33-577 for lost, stolen or destroyed proceeds from the warrant.

(10) The state and economic and social service offices shall take appropriate action to protect the state from loss if the original unendorsed warrant is redeemed by the state treasurer.

**WSR 78-09-063
EMERGENCY RULES
DEPARTMENT OF LABOR AND INDUSTRIES
(Washington State
Apprenticeship and Training Council)
[Order 78-15—Filed August 24, 1978]**

Be it resolved by the Washington State Apprenticeship and Training Council, acting at Port Angeles, Washington, that it does promulgate and adopt the annexed rules relating to affirmative action requirements for females in the state apprenticeship and training program.

We, Washington State Apprenticeship and Training Council, find that an emergency exists and that the

foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is these rules are required by federal regulation CFR 29, Part 30, as amended, and must be adopted immediately in order to comply with federal requirements.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 49.04.010 which directs that the Washington State Apprenticeship and Training Council has authority to implement the provisions of Washington State Apprenticeship Act, chapter 49.04 RCW.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED July 20, 1978.

By Hideo Naganawa
Chairman

Reviser's Note: The material contained in this filing will appear in a subsequent issue of the Register, as it was received after the applicable closing date for this issue for agency typed material exceeding the volume limitations of WAC 1-12-035 or 1-13-035, as appropriate.

and that the adoption, amendment, or repeal of such rules will take place at 10:00 a.m., Tuesday, October 10, 1978, in the Hearings Room, Department of Ecology, Lacey, WA.

The authority under which these rules are proposed is RCW 90.48.110 and 43.21A.080.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to September 20, 1978.

This notice is connected to and continues the matter noticed in Notice No. WSR 78-06-124 filed with the code reviser's office on June 7, 1978.

Dated: August 17, 1978

By: Elmer C. Vogel
Deputy Director

WSR 78-09-066

ADOPTED RULES

DEPARTMENT OF ECOLOGY

[Order DE 78-12—Filed August 24, 1978]

I, Elmer C. Vogel, deputy director of the Department of Ecology, do promulgate and adopt at the Department of Ecology, Lacey, Washington, the annexed rules relating to limitations on the use of state monies provided through Referendum 26 for water pollution abatement; adopting chapter 173-255 WAC—Limitations on Use of Referendum 26 Grant Funds for Water Pollution Abatement.

This action is taken pursuant to Notice No. WSR 78-06-128 filed with the code reviser on 6/7/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule making authority of the Department of Ecology as authorized in RCW 43.21A.080.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 17, 1978.

By Elmer C. Vogel
Deputy Director

Chapter 173-255 WAC

LIMITATIONS ON USE OF REFERENDUM 26 GRANT FUNDS FOR WATER POLLUTION ABATEMENT

NEW SECTION

WAC 173-255-010 PURPOSE AND SCOPE. The purpose of this chapter is to set forth the limitations on uses of moneys administered by the department of ecology pursuant to chapter 43.83A RCW (Referendum Bill No. 26). The limitations are necessary to insure that these funds will be used to their optimum extent to protect the resources and environment of the state of Washington and the health and safety of its people by

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Ecology intends to adopt, amend, or repeal rules concerning the submission of plans and reports for the construction of wastewater facilities; adopting chapter 173-240 WAC—Submission of Plans and Reports for Construction of Wastewater Facilities; and repealing chapter 372-20 WAC—Public Sewage and Industrial Waste Works;

providing adequate publicly owned facilities and systems for the collection, treatment and disposal of solid and liquid waste materials.

NEW SECTION

WAC 173-255-020 EFFECTIVE DATE. All projects, or phases of projects, which have not received a federal or state grant award for design, before the effective date of this chapter will be subject to provisions contained herein.

NEW SECTION

WAC 173-255-030 DEFINITIONS. For the purpose of this chapter:

(1) "Department" means the Washington state department of ecology.

(2) "Agricultural pollution grants program" means the program of grants administered by the department for the planning, design and construction of publicly owned or operated agricultural pollution abatement facilities.

(3) "Lake restoration grants program" means the program of state grants administered by the department for the planning, design and implementation of lake restoration projects.

(4) "Marina pumpout grants program" means the program of state grants administered by the department for the design and construction of sewage pumpout facilities and dump stations at publicly owned or operated marinas.

(5) "Municipal wastewater treatment works construction grants program" (hereinafter referred to as the construction grants program) means the federal/state matching program of grants under Title II of Public Law 95-217 to municipal entities for the purpose of upgrading their treatment works to meet the effluent requirements of state and federal law.

(6) "Water supply residual waste treatment works grants program" means the program of state grants administered by the department for the design and construction of pollution abatement facilities for publicly owned or operated water supply plants in existence on February 3, 1976, that discharge residual wastes to the waters of the state.

(7) "Individual systems" means privately owned treatment works serving one or more principal residences or small commercial establishments constructed prior to and inhabited on or before December 27, 1977, to abate an existing water pollution or public health problem.

(8) "Industrial cost recovery program" means the program established under Title II section 204(b) of the Federal Water Pollution Control Act Amendments (Public Law 92-217) to recover the cost of municipal treatment systems attributed to industrial users, when a municipal treatment system has been funded with federal funds under Title II.

(9) Industrial user:

(a) Any nongovernmental user of publicly owned treatment works which discharges more than twenty-five thousand gallons per day of sanitary waste, or a volume of process waste or combined process and sanitary waste,

equivalent to twenty-five thousand gallons per day of sanitary waste.

(b) Any nongovernmental user of a publicly owned treatment works which discharges wastewater to the treatment works which contains toxic pollutants or poisonous solids, liquids, or gases in sufficient quantity either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in or have an adverse effect on the waters receiving any discharge from the treatment works.

(c) All commercial users of an individual system constructed with grant assistance under section 201(h) of the Clean Water Act of 1977 (P.L. 95-217).

(10) "Innovative and alternative technology projects" means those projects employing innovative and alternative wastewater treatment processes and techniques as defined by EPA guidelines in 40 CFR 35, Appendix E, and which are eligible for federal grants under 40 CFR 35.908 promulgated on April 25, 1978, or hereafter modified.

NEW SECTION

WAC 173-255-040 LIMITATION OF PROGRAMS ELIGIBLE FOR FUNDING UNDER REFERENDUM BILL NO. 26. (1) The following programs shall be eligible for state matching grants in an amount not to exceed fifty percent of the total eligible cost of a project as determined by the department: The marina pumpout grants program, the water supply plant residual waste treatment works grants program, the lake restoration grants program, and the agricultural pollution grants program. The department may authorize a matching grant less than fifty percent of the total eligible cost of a project in those cases where it would be in the public interest, or where federal matching funds are available and it would be in the public interest to secure a local matching portion.

(2) The construction grants program shall be eligible for state matching grants in an amount not to exceed fifteen percent of the total eligible cost of a project as determined by the department except as provided in WAC 173-255-050(1).

NEW SECTION

WAC 173-255-050 LIMITATION ON GRANT AWARDS WITHIN THE MUNICIPAL GRANTS PROGRAM. (1) The state matching grants for innovative and alternative technology projects shall be limited to nine percent which is the same portion of the nonfederal share as other types of projects funded under the construction grants program.

(2) Expenditure of funds under the provisions of chapter 43.83A RCW is limited to public bodies which are defined in the statute to mean any agency, political subdivision, taxing district, or municipal corporation thereof, and those Indian tribes now or hereafter recognized as such by the federal government for participation in the federal land and water conservation program and which may constitutionally receive grants or loans

from the state of Washington. This provision and definition prohibits the expenditure of state funds for matching grants for, among others:

- (a) Individual systems; and
- (b) That portion of the construction of a municipal treatment works attributable to industrial users. Such portion is to be determined through the Environmental Protection Agency's industrial cost recovery program.

NEW SECTION

WAC 173-255-060 PROVISION OF GUIDELINES. The department will publish guidelines which establish procedures, under each of the Referendum 26 grant programs, for the grant application and award process.

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WSR 78-09-067

ADOPTED RULES

DEPARTMENT OF ECOLOGY [Order DE 78-11—Filed August 24, 1978]

I, Elmer C. Vogel, deputy director of the Department of Ecology, do promulgate and adopt at the Department of Ecology, Lacey, Washington, the annexed rules relating to the methods used to establish a priority rating system and a project priority list for the municipal wastewater construction grants program; adopting chapter 173-250—Construction Grants Program—Priority Rating System and Project Priority List.

This action is taken pursuant to Notice No. WSR 78-06-129 filed with the code reviser on 6/7/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule making authority of the Department of Ecology as authorized in RCW 43.21A.080.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 17, 1978.

By Elmer C. Vogel
Deputy Director

Chapter 173-250 WAC CONSTRUCTION GRANTS PROGRAM—PRIORITY RATING SYSTEM AND PROJECT PRIORITY LIST

NEW SECTION

WAC 173-250-010 PURPOSE AND SCOPE. The director shall publish a priority rating and ranking system annually which shall be used for the purpose of constituting a project priority list. The purpose of this chapter is to describe (1) the criteria to be considered when establishing the numerical rating parameters portion of the system, (2) the criteria to be considered when establishing the administrative and management ranking

procedures portion of the system, (3) the process to be followed in seeking approval of the system, (4) how the system is to be used to constitute a project priority list, and (5) the process to be followed in seeking approval of the project priority list.

NEW SECTION

WAC 173-250-020 DEFINITIONS. For the purpose of this chapter:

(1) "Category of projects" means one of the following:

- (a) Secondary treatment,
- (b) more stringent treatment,
- (c) infiltration-inflow correction,
- (d) major sewer system rehabilitation,
- (e) new collection sewer and appurtenances,
- (f) new interceptors and appurtenances,
- (g) correction of combined sewer overflows and
- (h) subsurface disposal systems.

(2) "Director" means the director of the Washington State Department of Ecology, or his duly authorized representative.

(3) "Priority rating and ranking system" (hereinafter referred to as the system) means the process and criteria used by the department of ecology to rate and rank projects in the state that are considered eligible for assistance under the construction grants program. Ranking criteria include the administrative and management procedures for constituting and revising the project priority list.

(4) "Project" means any one of the following:

- (a) Facility planning (step 1),
- (b) design (step 2),
- (c) and construction (step 3).

(5) "Project priority list" means the annual list of rated and ranked projects for which federal and state grant assistance is expected during the five-year planning period starting at the beginning of the next federal fiscal year.

(6) "Significant revisions" means changes to the approved project priority list which effect the public-at-large.

(7) "Wastewater treatment works construction grants program" (hereinafter referred to as the construction grants program) means the federal funded program under Title II of Public Law 95-217 and the state funded program under chapter 43.83A RCW (Referendum 26) that provides for grants to public and private entities for the purpose of constructing or upgrading treatment works to meet the requirements of the state and federal water pollution control laws.

NEW SECTION

WAC 173-250-030 DEVELOPMENT AND APPROVAL OF THE SYSTEM. (1) The director will establish project rating parameters which consider, but are not limited to, the following criteria:

- (a) The severity of the pollution problem in navigable waters and ground waters;
- (b) The existing population affected;
- (c) The need for preservation of high quality waters;
- (d) The need for protection of the public health by improving the sanitary condition of surface and underground waters; and

(e) Violation of state water quality standards and other enforceable provisions of Public Law 95-217.

(2) The director will establish project ranking procedures which consider, but are not limited to, the following criteria:

(a) Numerical rating of each project achieved in accordance with the priority rating criteria established under WAC 173-250-030(1);

(b) Readiness for grant award during the next federal fiscal year;

(c) Readiness for grant award during each of the ensuing four federal fiscal years following the next;

(d) Phasing of large dollar amount projects to allow for effective distribution of grant funds;

(e) A proper mix of projects which are ready for facility planning, design and construction;

(f) Determination of the priority to be given each category of projects;

(g) Total federal or state grant funds available during the next fiscal year and anticipated during each of the ensuing four fiscal years;

(h) The deadline for obligation of federal funds;

(i) Special needs of small and rural communities; and

(j) An identification of what constitutes significant revisions to the approved project priority list (including bypass, deletion or addition of projects).

(3) The system will be described each year and be the subject of an annual public hearing. Notice of this hearing shall appear in the state register pursuant to chapter 34.08 RCW.

(4) A fact sheet describing the proposed system shall be developed by the director each year and be available to the public at the regional offices of the department of ecology at least fifteen days prior to the public hearing.

(5) After reviewing public comments the director will revise the proposed system as appropriate. A summary of state responses to public comment and to any public hearing testimony shall be prepared and made available for distribution to the public.

(6) The proposed system as published by the director shall be submitted each year to the federal environmental protection agency for approval.

NEW SECTION

WAC 173-250-040 DEVELOPMENT AND APPROVAL OF THE STATE PROJECT PRIORITY LIST.

(1) A list of prospective projects will be developed using the municipal needs inventory, the NPDES permit files, and requests received from municipal entities, and information received from local and state health agencies.

(2) The director shall utilize the published system to constitute a project priority list as follows:

(a) Use the project rating parameters to generate a numerical score for each prospective project; and

(b) Use the project ranking procedures to constitute the project priority list.

(3) The fundable portion of the project priority list shall include those projects planned for award during the first year of the five-year planning period and shall not exceed the total federal funds expected to be available

during the year less all applicable reserves provided for by federal regulations.

(4) Thirty days public notice shall be given that the project priority list will be the subject of a public hearing. Notice of this hearing shall appear in the state register pursuant to chapter 34.08 RCW.

(5) The project priority list will be available to the public at the regional offices of the department of ecology, at least fifteen days prior to the public hearing.

(6) The public comments will be reviewed and the director shall approve the project priority list as proposed or as revised in accordance with public comments.

(7) The project priority list, as approved by the director, shall be submitted to the federal environmental protection agency for review to ensure compliance with the approved system.

(8) Significant revisions to the approved project priority list shall be the subject of the public notice and hearing process as set forth in WAC 173-250-040(4), (5), (6), and (7).

WSR 78-09-068

NOTICE OF PUBLIC MEETINGS

WHATCOM COMMUNITY COLLEGE

[Memorandum, President—August 24, 1978]

The revised meeting schedule is submitted in view of the renovation that will take place at the College Service Center during the coming months. The dates and times of the meetings remain the same:

September 12, 1978	1:00 p.m.	Room 3 Marine Drive Instructional Center 747 Marine Drive Bellingham, WA 98225
September 28, 1978	10:00 a.m.	Conference Room Ferndale Instructional Center 811 Third Street Ferndale, WA 98248
October 10, 1978	1:00 p.m.	Room C-2 Lynden Instructional Center Sixth and Grover Lynden, WA 98264
October 26, 1978	10:00 a.m.	President's Office/Board Room College Service Center 5217 Northwest Road Bellingham, WA 98225

WSR 78-09-069

EMERGENCY RULES

DEPARTMENT OF FISHERIES

[Order 78-64—Filed August 25, 1978]

I, Gordon Sandison, director of state Department of Fisheries, do promulgate and adopt at Olympia, Washington the annexed rules relating to commercial fishing regulations.

I, Gordon Sandison, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity

to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is 1978 catch levels are approaching maximum allowable harvest. This order is necessary to preserve the stocks.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 25, 1978.

By Gordon Sandison
Director

NEW SECTION

WAC 220-44-04000A

COASTAL

BOTTOMFISHING SEASONS. Notwithstanding the provisions of WAC 220-22-040, effective September 1, 1978 until further notice it shall be unlawful to possess in or transport through the waters of the state, or land in any Washington State ports, any Pacific Ocean perch (*Sebastodes alutus*) taken from Coastal Marine Fish-Shellfish Management and Catch Reporting Areas 59, 60A, 61 and that portion of 58 within the United States 200 mile fishery conservation zones in amounts greater than those set forth for each area below:

(1) in Coastal Marine Fish-Shellfish Management and Catch Reporting Area 59, 61 and that portion of 58 within the United States 200-mile fishery conservation zone, a maximum of 5 metric tons (11,023 lbs).

(2) in Coastal Marine Fish-Shellfish Management and Catch Reporting Area 60A – a maximum of 1 metric ton (2,204.6 lbs).

WSR 78-09-070 **EMERGENCY RULES** **DEPARTMENT OF FISHERIES** [Order 78-65—Filed August 25, 1978]

I, Gordon Sandison, director of state Department of Fisheries, do promulgate and adopt at Olympia, Washington the annexed rules relating to commercial fishing regulations.

I, Gordon Sandison, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is this order is necessary to provide for chinook escapement to the Samish Hatchery.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 25, 1978.

By Gordon Sandison
Director

NEW SECTION

WAC 220-28-007C0H CLOSED AREA Effective September 2, 1978 until further notice it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with any type of gear in Treaty Indian Salmon Management and Catch Reporting Area 7C.

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WSR 78-09-071

ADOPTED RULES

DEPARTMENT OF FISHERIES

[Order 78-66—Filed August 25, 1978]

I, Gordon Sandison, director of state Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to sale of surplus salmon eggs.

This action is taken pursuant to Notice Nos. WSR 78-07-088 and 78-09-040 filed with the code reviser on July 5, 1978 and August 18, 1978. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 25, 1978.

By Gordon Sandison
Director

Chapter 220-74 WAC **SURPLUS SALMON EGGS.**

- | | |
|------------|----------------------|
| 220-74-010 | Purpose. |
| 220-74-015 | Surplus Salmon Eggs. |
| 220-74-020 | Priorities. |
| 220-74-025 | Purchases. |

NEW SECTION

WAC 220-74-010 PURPOSE. The purpose of this chapter shall be to establish an orderly means for the department to dispose of surplus live salmon eggs in a

manner that provides optimum benefits to the citizens of the state.

All surplus salmon eggs sold pursuant to chapter 220-74 WAC shall be used in accordance with the provisions of WAC 220-20-040 through 220-20-045.

NEW SECTION

WAC 220-74-015 SURPLUS SALMON EGGS. It is the duty of the department to preserve, protect, perpetuate and manage the food fish in the waters of the state so that the taking or other disposition of such food fish shall be at times and in a manner as will not impair the supply thereof. In a manner consistent with this conservation purpose, it is also the department's duty to seek to maintain the economic well-being and stability of the commercial fishing industry of the state. It is also the duty of the department to authorize the harvesting of salmon surplus to natural or artificial spawning requirements for the economic well-being of the citizens of the state.

NEW SECTION

WAC 220-74-020 PRIORITIES. It is the duty of the department to assure that egg requirements for state hatcheries and natural spawning escapements are satisfied. Once these requirements have been met, eggs surplus to these requirements will be provided first to voluntary cooperative salmon culture programs under the supervision of the department, then to qualified transferees, and, finally, for sale under chapter 220-74 WAC.

Qualified transferees are governmental hatcheries in Washington and Oregon or hatcheries of federally approved tribes in Washington to whom eggs are moved, not sold, under the Interlocal Cooperation Act, chapter 39.34 RCW, for release or experiments designed to benefit the citizens of the state and private or other governmental laboratories to whom eggs are moved, not sold, for experiments designed to benefit the citizens of the state. To encourage the use of surplus live salmon eggs available for sale for the optimum benefit of the citizens of the state, the following priorities will be followed, within practical limitations, in distributing surplus live salmon eggs resulting from returns to artificial production facilities:

(1) Sales to in-state aquaculturists when the eggs would be hatched, the resulting fry reared, by a person or corporation engaged in the fishing industry in this state which owes and pays or agrees to pay and pays privilege fees and fish sales taxes as provided for in chapter 75.32 RCW.

(2) Sales to private Oregon sea ranchers where fish are to be released for migration from Oregon sites to the Pacific Ocean and thus subject to the public capture fisheries of the state of Washington.

(3) Sales to the hatcheries located in California and Alaska where the fish are to be released at sites located in those states for migration to the Pacific Ocean for harvest by public capture fisheries and thus subjected to public capture by fishermen of the state of Washington.

(4) Sales to other state, federal and private aquaculture programs which do not meet the requirements of the first three priorities.

(5) Foreign sales.

NEW SECTION

WAC 220-74-025 PURCHASES. Purchases of surplus salmon eggs will occur within the following framework:

(1) The price of eggs sold during a spawning season will be determined by the director after reviewing the results of an annual assessment of existing marketing conditions. The price will be the same for all purchases.

(2) Within Priority 1, requests for available eggs will be satisfied in accordance with the earliest date of receipt of the application for a salmon aquaculture permit by the department (WAC 220-76-010); provided that a firm request for eggs is received prior to September 1. All firm requests for eggs received after September 1 will be satisfied in order of their receipt on an eggs-available basis.

(3) Within Priority 1, up to one million eggs will be offered to the first qualified applicant before selling eggs to the next applicant. If eggs are still available after each applicant has had an opportunity to buy one million eggs, the procedure will be repeated until all requests within this priority have been satisfied.

(4) Within Priorities 2 and 3, requests for eggs will be satisfied in accordance with the firm requests that have the greatest likelihood of contributing to the public capture fisheries of the state of Washington.

(5) Within Priorities 4 and 5, requests for eggs will be satisfied in accordance with the earliest firm requests for eggs received.

Vf
WSR 78-09-072

ADOPTED RULES

DEPARTMENT OF FISHERIES

[Order DE 78-67—Filed August 25, 1978]

I, Gordon Sandison, director of state Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to charter boat regulations.

This action is taken pursuant to Notice Nos. WSR 78-07-090 and 78-09-040 filed with the code reviser on July 5, 1978 and August 18, 1978. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 25, 1978.
By Gordon Sandison
Director

NEW SECTION

WAC 220-85-210 SALMON CHARTER BOAT MORATORIUM ADVISORY REVIEW BOARD—APPOINTMENT, COMPOSITION, TENURE, AND COMPENSATION. The director shall appoint three-man advisory boards of review to hear cases as provided in chapter 75.30 RCW. Members shall be nominated by the charter boat fishing industry, shall serve without pay, and shall serve at the discretion of the director. Such members shall be reimbursed for subsistence and travel expenses pursuant to RCW 43.03.050 and 43.03.060 for each day or major portion thereof spent in the performance of their duty.

NEW SECTION

WAC 220-85-220 SALMON CHARTER BOAT MORATORIUM ADVISORY REVIEW BOARD—DESIGNATION OF BOARD, LIST FURNISHED BY INDUSTRY. The director shall appoint and designate such advisory review boards as may be necessary from lists of persons furnished by the charter boat fishing industry the director deems qualified to serve on such a board.

NEW SECTION

WAC 220-85-230 SALMON CHARTER BOAT MORATORIUM ADVISORY REVIEW BOARD—SECRETARIAL AND INVESTIGATIVE ASSISTANCE, PLACE OF HEARINGS. The department shall provide the advisory review boards with such secretarial or investigative help as may be necessary to conduct the hearings and to report its decision to the director. The department shall furnish and/or arrange accommodations for the boards to conduct their hearings.

NEW SECTION

WAC 220-85-240 SALMON CHARTER BOAT MORATORIUM ADVISORY REVIEW BOARD—DIRECTOR'S ACTION ON SALMON LICENSE APPLICATIONS—REASONS STATED IN WRITING. Whenever the director shall reject or deny an application for a salmon charter boat license, his decision shall be in writing and give the reason(s) therefor.

NEW SECTION

WAC 220-85-250 SALMON CHARTER BOAT MORATORIUM ADVISORY REVIEW BOARD—WHO MAY APPEAL. Any person aggrieved by a decision of the department pursuant to chapter 75.30 RCW may voluntarily request that a board of review be impaneled to hear his case.

NEW SECTION

WAC 220-85-260 SALMON CHARTER BOAT MORATORIUM ADVISORY REVIEW BOARD—PROCEEDINGS TO BE INFORMAL—RULES

OF EVIDENCE INAPPLICABLE—RECORD TO BE KEPT. The hearing before the advisory review board shall be informal and the rules of evidence shall not be applicable to the proceedings. A record of the proceedings shall be kept as provided by chapter 34.04 RCW.

NEW SECTION

WAC 220-85-270 SALMON CHARTER BOAT MORATORIUM ADVISORY REVIEW BOARD—APPEALS—REQUIREMENTS—FORM FOR APPEAL. (1) Appeals by an aggrieved person pursuant to chapter 75.30 RCW from determinations of the department shall be in writing and should include:

- (a) A concise statement of why the appeal is made;
- (b) The basis upon which the aggrieved person believes a different decision should be made; and
- (c) A statement of any other relevant facts.

(2) The appeal may be in any written form; however, the department will furnish or make available upon request a form that can be used for making appeals pursuant to the provisions of these regulations.

NEW SECTION

WAC 220-85-280 SALMON CHARTER BOAT MORATORIUM ADVISORY REVIEW BOARD—APPEALS—TIME FOR SCHEDULING HEARINGS—CONDUCT OF HEARINGS. Upon receipt of a written request for a hearing before an advisory review board, the department shall set the time, place, and date of hearing not later than twenty days from the time of receipt of said written request.

(1) The department shall inform all parties as to the date, time and place of hearing at least seven days prior to the hearing, except that the board can by agreement or for good cause shorten the notice requirement.

(2) The hearing before the advisory review board shall be informal and it shall:

- (a) Have authority to continue or adjourn the proceedings as circumstances may require; and
- (b) Permit oral or written argument.

NEW SECTION

WAC 220-85-290 SALMON CHARTER BOAT MORATORIUM ADVISORY REVIEW BOARD—DECISIONS BY ADVISORY REVIEW BOARD—FORM AND CONTENT. (1) The advisory review board shall inform in writing both the director and the initiating party of whether or not the board agrees or disagrees with the department's decision, and shall state the reasons for such agreement or disagreement.

(2) The decision of the advisory review board shall, except where there may be extenuating circumstances, be made within five days from the conclusion of the hearing.

NEW SECTION

WAC 220-85-300 SALMON CHARTER BOAT MORATORIUM ADVISORY REVIEW BOARD—DECISION ON APPEAL BY DIRECTOR. (1) Upon

receipt of the advisory review board's findings, the director, at his discretion, may either uphold or reverse the department's action.

(2) The decision of the director shall, except when there may be extenuating circumstances, be in writing and mailed to the appealing party within five days from the date the director receives the findings and decision of the board.

NEW SECTION

WAC 220-85-310 SALMON CHARTER BOAT MORATORIUM ADVISORY REVIEW BOARD—APPEALS—INFORMATION PROCEDURES OPTIONAL. Pursuant to the provisions of chapter 75.30 RCW, an aggrieved person rather than proceeding under the informal procedure provided for in WAC 220-85-210 through 220-85-300 can proceed under chapter 34-04 RCW (Administrative Procedure Act) and the procedural rules for appeal and hearing thereunder applicable to all state agencies as provided for in WAC 1-08-010 through 1-08-590 will govern proceedings initiated thereunder.


**WSR 78-09-073
ADOPTED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)**
[Order 1332—Filed August 25, 1978]

I, David Hogan, Exec. Assist. of the Department of Social and Health Services do promulgate and adopt at Olympia, Washington, the annexed rules relating to:

Amd WAC 388-33-595 relating to the one-time grant—Authorization—Disbursement.

This action is taken pursuant to Notice No. WSR 78-07-071 filed with the code reviser on 6/30/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the secretary of Department of Social and Health Services as authorized in RCW 74.08.090.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 16, 1978.

By David Hogan
Executive Assistant

AMENDATORY SECTION (Amending Order 1176, filed 12/23/76)

WAC 388-33-595 ONE-TIME GRANT—AUTHORIZATION—((COMPUTATION)) DISBURSEMENT. (1) See WAC 388-22-030 for definition of "one-time grant."

(2) A one-time grant may be authorized and disbursed in the amount necessary subject to the following rules:

(a) A one-time grant shall be authorized for a recipient of continuing assistance only. ((The category of assistance (federal aid or continuing general assistance) shall be determined by the person's eligibility during the period for which the one-time grant is authorized:))

(b) A one-time grant authorization is a single payment procedure. It expires when the warrant is mailed. It does not change the amount of the continuing (regular) grant currently authorized.

(c) A one-time grant shall be authorized when:

(i) An additional requirement recognized by department standards will be needed ((for one month only. Additional requirements are limited to those items listed in WAC 388-28-150 through 388-28-251)).

(ii) Income or assistance budgeted as available to the assistance unit or family is not received ((for one month only. The payment shall be the difference between the grant received and the grant which should have been received. If budgeted income will not be available for two or more months, a change in regular grant shall be authorized)).

(iii) ((Deleted:))

((iv))) Supplemental assistance is needed from the date a recipient leaves an institution to the receipt of the regular, adjusting, or reinstated grant. ((The amount of the payment shall be deducted from the regular, adjusting or reinstated grant. See WAC 388-33-630(1)(a).))

((v))) (iv) The fair hearing decision or the court decision on an appeal requires initiating, reinstating or increasing a grant. ((The one-time grant covers the period from the effective date specified in the decision to the first of the month in which a regular warrant can be paid on a regular warrant roll. The minimum grant rule does not apply in this instance.))

((vi) Deleted:))

((vii))) (v) A recipient is to be compensated for an underpayment due to erroneous monthly deduction(s) ((established according to WAC 388-44-145. See also WAC 388-33-190(3))).

((viii))) (vi) Any one-time grant that is approved by the state office under chapter 388-20 WAC for reasons other than those listed in this section.

((ix))) (vii) A person who is added to an assistance unit requires assistance prior to the effective date of his inclusion in a regular grant.

((x))) (viii) A canceled warrant is to be reissued and the recipient cannot wait for payment by adjusting grant.

((xi) Deleted:)) (ix) A change in the basic requirements which results in an increase in the regular grant occurs.

((xii))) (x) Assistance is being continued in compliance with the 10-day advance notice rules on reduction, suspension or termination of a grant and a partial month payment is required.

((xiii))) (xi) Underpayment due to the departmental error is to be corrected. Such payment shall be limited

to the amount due for not to exceed twelve months including the month in which the corrective payment is authorized.

(d) Except as provided in items (2)(c)((v))((iv)), (2)(c)((viii))((v)), and (2)(c)((xiii))((xi)), a retroactive one-time grant shall not cover a period of more than ((60)) sixty days before the date of authorization.

(e) The effective date of a one-time grant shall be the authorization date.

**WSR 78-09-074
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)**

[Order 1333—Filed August 25, 1978]

I, David Hogan, Exec. Assist. of the Department of Social and Health Services do promulgate and adopt at Olympia, Washington, the annexed rules relating to:

- Amd WAC 388-24-260 relating to emergency assistance—Standards—Duration.
 Amd ch. 388-29 WAC relating to AFDC and GAU—Eligibility—Standards of assistance.
 Amd WAC 388-33-577 relating to loss, theft or destruction of cash proceeds from warrant.

I, David Hogan, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is immediate implementation of the attached rules will result in substantially improved services to clients.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated under the general rule-making authority of the secretary of Department of Social and Health Services as authorized in RCW 74.08.090.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 25, 1978.

By David Hogan
Executive Assistant

**AMENDATORY SECTION (Amending Order 1176,
filed 12/23/76)**

WAC 388-24-260 EMERGENCY ASSISTANCE STANDARDS—DURATION. (1) Standards for requirements shall be as provided in WAC ((388-28-100)) 388-29-100 through ((388-28-140)) 388-29-270.

(2) Emergency assistance may be paid to the recipient in cash as specified in WAC 388-33-630, or by vendor payment.

(3) Emergency assistance is limited to one period of thirty consecutive days in any twelve consecutive months. Assistance can be issued for one or more unconnected sequence of days within that thirty day period, however.

((4) Emergency assistance may not duplicate assistance for needs which are included in a regular AFDC or SSI grant payment.))

**AMENDATORY SECTION (Amending Order 1241,
filed 9/23/77)**

WAC 388-29-150 STANDARDS FOR ADDITIONAL REQUIREMENTS UNDER SPECIFIED CIRCUMSTANCES. Additional requirements under specified circumstances shall be handled as follows, except for the additional requirements for emergent situations in AFDC, which are set forth in WAC 388-29-270.

(1) The basic requirements provide the majority of eligible persons with all essential items of maintenance. Some persons, however, have particular needs of an essential nature which cannot be met within the basic requirements. For this reason the department's standards provide for certain additional requirements when the individual's circumstances are such that the item(s) is essential in accordance with the criteria herein established. The need of these items must be verified in each case where any are included. ((The additional)) When the requirement is ongoing, it is added to the adjusted requirements of the appropriate assistance unit.

(2) The circumstances which give rise to an additional requirement may regularly recur or be nonrecurring depending on the nature of the item. In determining whether an additional requirement exists, the total case situation shall be taken into account, i.e., the changes which have occurred in health or living conditions and, if the problem is not new, how it was met in the past.

(3) The reasons for including an additional item, i.e., factual findings supporting the need (or continuing need) for the requirement inconsistent with the criteria herein, shall be recorded in the case narrative.

(4) A plan for periodically reviewing the necessity for continuing the allowance for an ongoing additional requirement shall be established in each case, taking into account the change in the individual's living arrangements, health, and any other factor which has a bearing on the need for the item.

(5) The need for any ongoing additional requirement must be reestablished as often as the case plan indicates, but at least semiannually, except ((that the need for housekeeping services must be reestablished at not less than sixty-day intervals)) where it is established that there is a continuing need that is likely not subject to change.

((6) The nature of the review will vary depending on the conditions in each case, that is, may involve a review of the case documents only, or may require the securing of additional information.))

AMENDATORY SECTION (Amending Order 1241, filed 9/23/77)

WAC 388-29-190 TRANSPORTATION TO STATE OF LEGAL RESIDENCE. (1) The cost of transportation is an additional requirement for an AFDC, a general assistance or emergency assistance nonresident who is being returned to his state of legal residence. This item shall be authorized only during the period of eligibility as defined in WAC 388-37-020(1)(a) and 388-24-260(3).

(2) The cost standard shall be the least expensive common carrier rate for fare and other necessary expenses enroute unless other means of transportation are advisable because of circumstances in the specific situation.

AMENDATORY SECTION (Amending Order 1241, filed 9/23/77)WAC 388-29-270 ADDITIONAL REQUIREMENTS FOR EMERGENT SITUATIONS—AFDC. ((Under specified circumstances the following items shall be considered additional requirements:

(1) Transportation according to WAC 388-29-190;
 (2) Laundry according to WAC 388-29-220.)) (1) In certain emergent situations the following items shall be considered additional requirements: In no instances is the payment under this section to exceed one month's assistance standards as set in WAC 388-29-100.

(a) To secure housing and necessary clothing in the event of a natural disaster such as flood or fire and relief is not available under WAC 388-53-010 et seq.;

(b) In case of loss or theft of the cash proceeds of a warrant, assistance will be limited to the emergent need only;

(c) Imminent eviction, where a formal notice of eviction has been received, only in an amount needed to prevent the eviction, and only if the basis of eviction is not a delinquency in payment resulting from a fault of the client;

(d) Sudden malfunction resulting in loss of heat, water, electricity or cooking facilities and the recipient is legally responsible for the repairs and winterization funds are not available, limited to actual costs of repairs or replacement when there is no other alternative;

(e) Pending utility termination, on presentation of a utility shutoff notice, which is based on arrearages arising due to conditions beyond the control of the recipient, and only in the amount needed to prevent shutoff;

(f) Housing needs caused by an abusive spouse will be limited to established fees paid to shelters especially for abused spouses;

(g) Inoperable vehicle which is necessary to continue employment and where public transportation is not available, limited to actual costs of repairs.

(2) Emergency assistance shall be provided to AFDC recipients from another state when it is determined that such individuals are detained in Washington for reasons beyond their control and as a result of events which could not have been reasonably anticipated or they have decided to become residents.

AMENDATORY SECTION (Amending Order 1164, filed 10/27/76)

WAC 388-33-577 LOSS, THEFT OR DESTRUCTION OF CASH PROCEEDS FROM WARRANT ((+)) When a recipient payee reports to the ((ESSO)) CSO that the cash proceeds of his warrant, or an endorsed warrant, have been lost, stolen or destroyed, the ((ESSO)) CSO shall have the recipient payee complete an affidavit attesting to the reported facts.

(1) Replacement of the proceeds of an AFDC warrant in an emergent situation shall be made as an additional requirement according to WAC 388-29-270 (1)(b).

(2) Replacement of cash proceeds from warrants other than the AFDC warrants specified in WAC 388-33-577 (1) shall be handled as follows:

((+)) (a) The ((ESSO)) CSO shall secure all facts surrounding the loss reported in subsection (1); assess the reported facts and make a judgment as to the validity of the report; determine an appropriate course of action and record the details of the report and the determination made in the financial case record.

((+)) (b) Replacement of the proceeds of a warrant shall be made only after regional office approval of an exception to policy and is limited to the amount approved. Proceeds will be replaced only to meet emergent needs.

**WSR 78-09-075
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
[Filed August 25, 1978]**

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Social and Health Services, intends to adopt, amend, or repeal rules concerning:

Amd WAC 388-24-260 relating to Emergency assistance—Standards-Duration.

Amd ch. 388-29 WAC relating to AFDC and GAU—Eligibility—Standards of assistance.

Amd WAC 388-33-577 relating to loss, theft or destruction of cash proceeds from warrant.

It is the intention of the secretary to adopt these rules on an emergency basis prior to the hearing. The reason for the emergency is that immediate adoption of the attached rules will result in substantial improvement in services to clients.

Correspondence concerning this notice and proposed rules attached should be addressed to:

David Hogan
Executive Assistant
Department of Social and Health Services
Mail Stop OB-44 C
Olympia, Washington 98504;

that such agency will at 10:00 a.m., Wednesday, October 11, 1978, in the Auditorium, State Office Bldg #2,

12th and Jefferson, Olympia, WA, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Wednesday, October 18, 1978, in William B. Pope's office, 3-D-14, State Office Bldg #2, 12th and Jefferson, Olympia, WA.

The authority under which these rules are proposed is RCW 74.08.090.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to 10/11/78, and/or orally at 10:00 a.m., Wednesday, October 11, 1978, Auditorium, State Office Bldg #2, 12th and Jefferson, Olympia, WA.

Dated: August 25, 1978

By: David Hogan
Executive Assistant

AMENDATORY SECTION (Amending Order 1176, filed 12/23/76)

WAC 388-24-260 EMERGENCY ASSISTANCE—STANDARDS—DURATION. (1) Standards for requirements shall be as provided in WAC ((388-28-100)) 388-29-100 through ((388-28-140)) 388-29-270.

(2) Emergency assistance may be paid to the recipient in cash as specified in WAC 388-33-630, or by vendor payment.

(3) Emergency assistance is limited to one period of thirty consecutive days in any twelve consecutive months. Assistance can be issued for one or more unconnected sequence of days within that thirty day period, however.

((4) Emergency assistance may not duplicate assistance for needs which are included in a regular AFDC or SSI grant payment.))

AMENDATORY SECTION (Amending Order 1241, filed 9/23/77)

WAC 388-29-150 STANDARDS FOR ADDITIONAL REQUIREMENTS UNDER SPECIFIED CIRCUMSTANCES. Additional requirements under specified circumstances shall be handled as follows, except for the additional requirements for emergent situations in AFDC, which are set forth in WAC 388-29-270.

(1) The basic requirements provide the majority of eligible persons with all essential items of maintenance. Some persons, however, have particular needs of an essential nature which cannot be met within the basic requirements. For this reason the department's standards provide for certain additional requirements when the individual's circumstances are such that the item(s) is essential in accordance with the criteria herein established. The need of these items must be verified in each case where any are included. ((The additional)) When the requirement is ongoing, it is added to the adjusted requirements of the appropriate assistance unit.

(2) The circumstances which give rise to an additional requirement may regularly recur or be nonrecurring depending on the nature of the item. In determining whether an additional requirement exists, the total case situation shall be taken into account, i.e., the changes which have occurred in health or living conditions and, if the problem is not new, how it was met in the past.

(3) The reasons for including an additional item, i.e., factual findings supporting the need (or continuing need) for the requirement inconsistent with the criteria herein, shall be recorded in the case narrative.

(4) A plan for periodically reviewing the necessity for continuing the allowance for an ongoing additional requirement shall be established in each case, taking into account the change in the individual's living arrangements, health, and any other factor which has a bearing on the need for the item.

(5) The need for any ongoing additional requirement must be reestablished as often as the case plan indicates, but at least semiannually, except ((that the need for housekeeping services must be reestablished at not less than sixty-day intervals)) where it is established that there is a continuing need that is likely not subject to change.

((6) The nature of the review will vary depending on the conditions in each case, that is, may involve a review of the case documents only, or may require the securing of additional information.))

AMENDATORY SECTION (Amending Order 1241, filed 9/23/77)

WAC 388-29-190 TRANSPORTATION TO STATE OF LEGAL RESIDENCE. (1) The cost of transportation is an additional requirement for an AFDC, a general assistance or emergency assistance nonresident who is being returned to his state of legal residence. This item shall be authorized only during the period of eligibility as defined in WAC 388-37-020(1)(a) and 388-24-260(3).

(2) The cost standard shall be the least expensive common carrier rate for fare and other necessary expenses enroute unless other means of transportation are advisable because of circumstances in the specific situation.

AMENDATORY SECTION (Amending Order 1241, filed 9/23/77)

WAC 388-29-270 ADDITIONAL REQUIREMENTS FOR EMERGENT SITUATIONS—AFDC. ((Under specified circumstances the following items shall be considered additional requirements:

((1) Transportation according to WAC 388-29-190;
((2) Laundry according to WAC 388-29-220.))) (1) In certain emergent situations the following items shall be considered additional requirements: In no instances is the payment under this section to exceed one month's assistance standards as set in WAC 388-29-100.

(a) To secure housing and necessary clothing in the event of a natural disaster such as flood or fire and relief is not available under WAC 388-53-010 et seq.;

(b) In case of loss or theft of the cash proceeds of a warrant, assistance will be limited to the emergent need only;

(c) Imminent eviction, where a formal notice of eviction has been received, only in an amount needed to prevent the eviction, and only if the basis of eviction is not a delinquency in payment resulting from a fault of the client;

(d) Sudden malfunction resulting in loss of heat, water, electricity or cooking facilities and the recipient is legally responsible for the repairs and winterization funds are not available; limited to actual costs of repairs or replacement when there is no other alternative;

(e) Pending utility termination, on presentation of a utility shutoff notice, which is based on arrearages arising due to conditions beyond the control of the recipient, and only in the amount needed to prevent shutoff;

(f) Housing needs caused by an abusive spouse will be limited to established fees paid to shelters especially for abused spouses;

(g) Inoperable vehicle which is necessary to continue employment and where public transportation is not available; limited to actual costs of repairs.

(2) Emergency assistance shall be provided to AFDC recipients from another state when it is determined that such individuals are detained in Washington for reasons beyond their control and as a result of events which could not have been reasonably anticipated or they have decided to become residents.

AMENDATORY SECTION (Amending Order 1164, filed 10/27/76)

WAC 388-33-577 LOSS, THEFT OR DESTRUCTION OF CASH PROCEEDS FROM WARRANT. ((+))) When a recipient payee reports to the ((ESSO)) CSO that the cash proceeds of his warrant, or an endorsed warrant, have been lost, stolen or destroyed, the ((ESSO)) CSO shall have the recipient payee complete an affidavit attesting to the reported facts.

(1) Replacement of the proceeds of an AFDC warrant in an emergent situation shall be made as an additional requirement according to WAC 388-29-270 (1)(b).

(2) Replacement of cash proceeds from warrants other than the AFDC warrants specified in WAC 388-33-577 (1) shall be handled as follows:

((+))) (a) The ((ESSO)) CSO shall secure all facts surrounding the loss reported in subsection (1); assess the reported facts and make a judgment as to the validity of the report; determine an appropriate course of action and record the details of the report and the determination made in the financial case record.

((+))) (b) Replacement of the proceeds of a warrant shall be made only after regional office approval of an exception to policy and is limited to the amount approved. Proceeds will be replaced only to meet emergent needs.

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WSR 78-09-076
ADOPTED RULES
PUBLIC DISCLOSURE COMMISSION
[Order 101—Filed August 28, 1978]

Be it resolved by the Public Disclosure Commission, acting at 403 Evergreen Plaza Building, Olympia, Washington, that it does promulgate and adopt the annexed rules relating to policy and enforcement regulations, chapter 390-04 WAC.

This action is taken pursuant to Notice No. WSR 78-07-039 filed with the code reviser on 6/26/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 42.17.370(1) which directs that the Public Disclosure Commission has authority to implement the provisions of the Washington State Open Government Act.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 15, 1978.

By Graham E. Johnson
Administrator

REPEALER

The following sections of the Washington Administrative Code are each repealed:

- | | |
|----------------------------|---|
| (1) <u>WAC 390-04-010</u> | PURPOSE |
| (2) <u>WAC 390-04-020</u> | GENERAL ADMINISTRATIVE POLICY |
| (3) <u>WAC 390-04-030</u> | DEFINITIONS |
| (4) <u>WAC 390-04-031</u> | DEFINITION OF TERM "OTHER EXPENSES" |
| (5) <u>WAC 390-04-035</u> | DEFINITION OF DIRECT FINANCIAL INTEREST |
| (6) <u>WAC 390-04-036</u> | DEFINITION OF DEBT |
| (7) <u>WAC 390-04-037</u> | CONTRIBUTION—DEFINED |
| (8) <u>WAC 390-04-038</u> | "AGGREGATE" |
| (9) <u>WAC 390-04-040</u> | DEFINED USE OF OFFICE FACILITIES |
| (10) <u>WAC 390-04-050</u> | ENFORCEMENT POLICY |
| (11) <u>WAC 390-04-060</u> | LOBBYIST'S EMPLOYER—MEANING—EXAMPLES |
| (12) <u>WAC 390-04-070</u> | EFFECT OF PUBLIC DISCLOSURE ACT—FREEDOM OF COMMUNICATION—EMPLOYER |
| (13) <u>WAC 390-04-080</u> | INTERFERENCE LIST OF ELECTED PUBLIC OFFICIALS |

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|----------------------------|---|
| (14) <u>WAC 390-04-090</u> | LIST OF ELECTED PUBLIC OFFICIALS—RESPONSIBILITY FOR DEVELOPING |
| (15) <u>WAC 390-04-100</u> | LIST OF ELECTED PUBLIC OFFICIALS—NAME NOT ON LIST, IMPACT |
| (16) <u>WAC 390-04-110</u> | PUBLIC DISCLOSURE ACT—VIOLATION OF OTHER LAW |
| (17) <u>WAC 390-04-140</u> | PUBLIC DISCLOSURE ACT—REQUIRED FINDINGS |
| (18) <u>WAC 390-04-150</u> | PUBLIC DISCLOSURE ACT—PRIMA FACIE QUALIFICATIONS |
| (19) <u>WAC 390-04-160</u> | WRITTEN SWORN STATEMENT |
| (20) <u>WAC 390-04-170</u> | CAMPAIGN FINANCING—SPECIAL REPORTS |
| (21) <u>WAC 390-04-180</u> | CAMPAIGN FINANCING—TIME FOR FILING |
| (22) <u>WAC 390-04-190</u> | CAMPAIGN FINANCING—ENCOURAGING EXPENDITURES TO AVOID CONTRIBUTIONS—RESULT |
| (23) <u>WAC 390-04-200</u> | ABBREVIATED CAMPAIGN REPORTING—CAMPAIGNS FOR PUBLIC OFFICE INVOLVING \$1,000 OR LESS |
| (24) <u>WAC 390-04-210</u> | ABBREVIATED CAMPAIGN REPORTING—BALLOT PROPOSITIONS |
| (25) <u>WAC 390-04-215</u> | ABBREVIATED CAMPAIGN REPORTING—CONDITIONS FOR GRANTING USE |
| (26) <u>WAC 390-04-220</u> | EXEMPTIONS—CONDITIONS FOR GRANTING |
| (27) <u>WAC 390-04-225</u> | ABBREVIATED CAMPAIGN REPORTING—TIMES AND PLACE FOR FILING REPORTS C-1 AND C-4 UNDER \$1,000 EXEMPTION |
| (28) <u>WAC 390-04-230</u> | ABBREVIATED CAMPAIGN REPORTING—EXCEEDING LIMITATIONS |
| (29) <u>WAC 390-04-240</u> | MINIMUM LIMIT ON CAMPAIGN EXPENDITURES |

- (30) WAC 390-04-250 EXPENDITURES—
AGGREGATE TOTALS
LOBBYISTS REGIS-
TRATION AND RE-
PORTING—TIMING
REPORT OF CONTRI-
BUTIONS AND EX-
PENDITURES—C-4
REPORTING
REQUIREMENT
- (31) WAC 390-04-260 TIME OF FILING F-
1—RCW 42.17.240
- (32) WAC 390-04-270 CANDIDATES FOR
PUBLIC OFFICE—
TIME OF FILING
- (33) WAC 390-04-280
- (34) WAC 390-04-290

Reviser's Note: Errors of punctuation or spelling in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

WSR 78-09-077
ADOPTED RULES

ENERGY FACILITY SITE EVALUATION COUNCIL
[Order 78-4—Filed August 28, 1978]

Be it resolved by the Energy Facility Site Evaluation Council, acting at Olympia, Washington, that it does promulgate and adopt the annexed rules relating to WAC 463-06-020 description of organization, amending WAC 463-06-020.

This action is taken pursuant to Notice No. WSR 78-06-098 filed with the code reviser on 6/5/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 80.50.040 (1) which directs that the Energy Facility Site Evaluation Council has authority to implement the provisions of chapter 80.50 RCW.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 14, 1978.

By William L. Fitch
Executive Secretary

AMENDATORY SECTION (Amending Order 103,
filed 11/4/76)

**WAC 463-06-020 DESCRIPTION OF ORGANI-
ZATION.** (1) The voting membership of the council consists of the authorized representatives of the member agencies listed in RCW 80.50.030. In addition, a voting county representative, a voting city representative, and a nonvoting port district representative may sit with the council under the circumstances described in RCW 80.50.030.

(2) The chairman of the council is the ((director of the state energy office, or such deputy or assistant director as the director has designated. The chairman is non-voting)) person appointed by the governor with the advice and consent of the senate to a term coextensive with that of the governor pursuant to RCW 80.50.030. The chairman serves full time, has a vote on all matters before the council and is officed at the council office. The chairman may appoint a confidential secretary to the chairman.

(3) The council has an executive secretary((. The Executive Secretary and)) who is appointed by and serves at the pleasure of the council. The executive secretary is responsible for the appointment and supervision of council staff. All members of the council staff are officed at the council office.

WSR 78-09-078
ADOPTED RULES

ENERGY FACILITY SITE EVALUATION COUNCIL
[Order 78-5—Filed August 28, 1978]

Be it resolved by the Energy Facility Site Evaluation Council, acting at Olympia, Washington, that it does promulgate and adopt the annexed rules relating to County, City and Port District Representatives—Segmentation of hearings and issues, amending WAC 463-14-040.

This action is taken pursuant to Notice No. WSR 78-06-099 filed with the code reviser on 6/5/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 80.50.040(1) which directs that the Energy Facility Site Evaluation Council has authority to implement the provisions of chapter 80.50 RCW.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 14, 1978.

By William L. Fitch
Executive Secretary

AMENDATORY SECTION (Amending Order 104,
filed 11/4/76)

**WAC 463-14-040 COUNTY, CITY AND PORT
DISTRICT REPRESENTATIVES—SEGMENTA-
TION OF HEARINGS AND ISSUES.** RCW
80.50.030(4) ((and)), (5) and (6) necessitate segmentation of hearings and issues in instances where proposed energy facilities would extend beyond the boundaries of a single county, city and/or port district.

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**WSR 78-09-079
ADOPTED RULES
ENERGY FACILITY SITE EVALUATION COUNCIL**
[Order 78-6—Filed August 28, 1978]

Be it resolved by the Energy Facility Site Evaluation Council, acting at Olympia, Washington, that it does promulgate and adopt the annexed rules relating to Procedure in the absence of the chairman, amending WAC 463-18-060, Council duties of acting chairman, amending WAC 463-18-070, County, City and Port District Representatives—Participation, amending WAC 463-18-080.

This action is taken pursuant to Notice No. WSR 78-06-100 filed with the code reviser on 6/5/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 80.50.040(1) which directs that the Energy Facility Site Evaluation Council has authority to implement the provisions of chapter 80.50 RCW.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 14, 1978.

By William L. Fitch
Executive Secretary

AMENDATORY SECTION (Amending Order 105, filed 11/4/76)

WAC 463-18-060 PROCEDURE IN THE ABSENCE OF THE CHAIRMAN. ((In the event that the chairman is absent from any regular or special meeting, the executive secretary to the Council is to commence the meeting for the purpose of selecting a temporary chairman from among those Council members present.)) Pursuant to RCW 80.50.030 the chairman may designate a member of the council to serve as acting chairman in the event of the chairman's absence.

AMENDATORY SECTION (Amending Order 105, filed 11/4/76)

WAC 463-18-070 COUNCIL DUTIES OF ((TEMPORARY)) ACTING CHAIRMAN. Any council member ((selected)) designated by the council chairman as ((temporary)) acting chairman shall remain entitled to vote on any proposed council action and shall continue to fulfill his responsibilities to the agency which he represents.

AMENDATORY SECTION (Amending Order 105, filed 11/4/76)

WAC 463-18-080 COUNTY, CITY AND PORT DISTRICT REPRESENTATIVES—PARTICIPATION. To the extent that council action((s deal with)) involves site certification matters relating to ((specific counties)) any county, city or port district or any combination thereof in which an energy facility is sought to

be located, they shall be separated and divided to allow individual county, city and/or port representatives to participate in discussion ((and vote only with regard to matters specifically affecting the concerned county)); however, voting on issues shall be as permitted by WAC 463-06-020.

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**WSR 78-09-080
ADOPTED RULES
ENERGY FACILITY SITE EVALUATION COUNCIL**
[Order 78-7—Filed August 28, 1978]

Be it resolved by the Energy Facility Site Evaluation Council, acting at Olympia, Washington, that it does promulgate and adopt the annexed rules relating to notification of local authorities, amending WAC 463-22-060.

This action is taken pursuant to Notice No. WSR 78-06-101 filed with the code reviser on 6/5/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 80.50.040(1) which directs that the Energy Facility Site Evaluation Council has authority to implement the provisions of chapter 80.50 RCW.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 14, 1978.

By William L. Fitch
Executive Secretary

AMENDATORY SECTION (Amending Order 106, filed 11/4/76)

WAC 463-22-060 NOTIFICATION OF LOCAL AUTHORITIES. Upon receipt of a request for study of a potential site, the council will give notice to the ((county)) legislative authority in each county ((which would be directly affected by location of the proposed energy facility at the potential site)), city and port district within whose boundaries the site of the proposed energy facility is located.

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**WSR 78-09-081
ADOPTED RULES
ENERGY FACILITY SITE EVALUATION COUNCIL**
[Order 78-8—Filed August 28, 1978]

Be it resolved by the Energy Facility Site Evaluation Council, acting at Olympia, Washington, that it does promulgate and adopt the annexed rules relating to notification of local authorities, amending WAC 463-26-020, purpose for hearing, amending WAC 463-26-050.

This action is taken pursuant to Notice No. WSR 78-06-102 filed with the code reviser on 6/5/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 80.50.040(1) which directs that the Energy Facility Site Evaluation Council has authority to implement the provisions of chapter 80.50 RCW.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 14, 1978.

By William L. Fitch
Executive Secretary

**Chapter 463-26 WAC
PROCEDURE—INITIAL PUBLIC HEARING
((NON-CONTESTED))) AND PUBLIC INFORMATION MEETING**

AMENDATORY SECTION (Amending Order 109, filed 11/16/76)

WAC 463-26-020 NOTIFICATION OF ((COUNTY LEGISLATIVE AND PORT DISTRICT)) LOCAL AUTHORITIES. Before scheduling the initial public hearing, the council will notify the legislative ((and port district authorities)) authority in each ((concerned)) county ((so that the county)), city and port district ((representatives may be identified pursuant to RCW 80.50.030(4) and (5)) within whose boundaries the site of the proposed energy facility is located.

AMENDATORY SECTION (Amending Order 109, filed 11/16/76)

WAC 463-26-050 ((PRIMARY)) PURPOSE FOR HEARING. At the commencement of the initial public hearing, the council shall explain that the ((primary statutory)) purpose of the initial hearing under RCW 80.50.090(1) is to determine whether the proposed facility is consistent and in compliance with county or regional land use plans or zoning ordinances and that this matter shall have priority. Pursuant to RCW 80.50.020(15) "land use plan" means a comprehensive plan or land use element thereof adopted by a unit of local government under chapters 35.63, 35A.63, or 36.70 RCW. Pursuant to RCW 80.50.020(16) "zoning ordinance" means an ordinance of local government regulating the use of land and adopted pursuant to chapters 35.63, 35A.63, or 36.70 RCW or Article XI of the state Constitution.

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**WSR 78-09-082
ADOPTED RULES**

ENERGY FACILITY SITE EVALUATION COUNCIL
[Order 78-9—Filed August 28, 1978]

Be it resolved by the Energy Facility Site Evaluation Council, acting at Olympia, Washington, that it does

promulgate and adopt the annexed rules relating to participation by county representatives, amending WAC 463-30-420.

This action is taken pursuant to Notice No. WSR 78-06-103 filed with the code reviser on 6/5/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 80.50.040(1) which directs that the Energy Facility Site Evaluation Council has authority to implement the provisions of chapter 80.50 RCW.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 14, 1978.

By William L. Fitch
Executive Secretary

AMENDATORY SECTION (Amending Order 109, filed 11/16/76)

WAC 463-30-420 PARTICIPATION BY COUNTY, CITY AND PORT DISTRICT REPRESENTATIVES. ((The Council shall divide and segregate matters in any contested case in a manner which will enable county representatives to participate only in those decisions relating to matters directly affecting the county represented:)) In any contested case to the extent that council action involves site certification matters relating to any county, city or port district or any combination thereof in which an energy facility is sought to be located, they shall be separated and divided to allow individual county, city and/or port district representatives to participate in discussion and county and city representatives shall vote only with regard to matters specifically affecting the concerned county or city. Port districts are nonvoting members of the council.

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WSR 78-09-083

ADOPTED RULES

ENERGY FACILITY SITE EVALUATION COUNCIL
[Order 78-10—Filed August 28, 1978]

Be it resolved by the Energy Facility Site Evaluation Council, acting at Olympia, Washington, that it does promulgate and adopt the annexed rules relating to solicitation of proposals to perform work, amending WAC 463-50-020.

This action is taken pursuant to Notice No. WSR 78-06-104 filed with the code reviser on 6/5/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 80.50.040(1) which directs that the Energy Facility Site Evaluation Council has authority to implement the provisions of chapter 80.50 RCW.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure

Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 14, 1978.

By William L. Fitch
Executive Secretary

AMENDATORY SECTION (Amending Order 110, filed 11/16/76)

WAC 463-50-020 SOLICITATION OF PROPOSALS TO PERFORM WORK. Each proposal to contract with an independent consultant shall be the subject of a formal, written "Request for Proposal." The "Request for Proposal" shall generally follow the outline and address the provisions of the "Guidelines for using outside consultants" published by the Office of ((Program Planning and Fiscal)) Financial Management. A copy of the "Request for Proposal" shall be distributed to any requesting consulting firm. Further notice of the availability of the "Request for Proposal((s))" may be provided by appropriate commercial advertising.

**WSR 78-09-084
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
[Filed August 28, 1978]**

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Social and Health Services, intends to adopt, amend, or repeal rules relating to advance notice—expiration or adverse action, amending WAC 388-54-525.

It is the intention of the secretary to adopt these rules on an emergency basis on September 1, 1978. The reason is to comply with FNS instructions.

Correspondence concerning this notice and proposed rules attached should be addressed to:

David Hogan
Executive Assistant
Department of Social and Health Services
Mail Stop OB-44 C
Olympia, Washington 98504;

that such agency will at 10:00 a.m., Wednesday, October 11, 1978, in the Auditorium, State Office Bldg #2, 12th and Jefferson, Olympia, WA, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Wednesday, October 18, 1978, in William B. Pope's office, 3-D-14, State Office Bldg #2, 12th and Jefferson, Olympia, WA.

The authority under which these rules are proposed is RCW 74.04.510.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to 10/11/78, and/or orally at 10:00 a.m.,

Wednesday, October 11, 1978, Auditorium, State Office Bldg #2, 12th and Jefferson, Olympia, WA.

Dated: August 25, 1978

By: David Hogan
Executive Assistant

AMENDATORY SECTION (Amending Order 992, filed 12/31/74)

WAC 388-54-525 ((CERTIFICATION NOTICE OF ADVERSE ACTION)) ADVANCE NOTICE—EXPIRATION OR ADVERSE ACTION. (1) Effective 9-1-78, each household shall be provided with a written notice of expiration of certification, so that they may reapply without any delay in benefits.

(a) Households certified for one month or less shall be notified at the time of certification;

(b) All other households shall receive notice of expiration no earlier than 15 days prior to the start of the household's last month of certification, and no later than the start of the last month of certification.

(c) A household, certified for one month or less, shall have 15 days from the date the notice is received to submit a timely application for recertification. All other households shall have until the 15th of the last month of certification in order to timely apply. The certification of a household which does not submit a timely application without good cause shall expire at the end of the certification period.

(d) The written notice shall contain:

(i) the date the current certification period ends,

(ii) the date by which the household must submit a timely application,

(iii) the right to request an application and have the CSO accept an application so long as it is signed and contains a legible name and address,

(iv) the address of the office where the application must be filed,

(v) the consequences of the failure to comply with the notice,

(vi) the circumstances under which the CSO will assist the household in filing its application,

(vii) the household's right to a fair hearing if the CSO refuses to accept as good cause the household's reasons for failure to comply with the notice of expiration.

(e) The CSO shall approve or deny a timely application for subsequent certification and notify the household of its determination by the end of the current certification period.

(i) A household certified for one month or less must have the opportunity to purchase within 30 days from the date of the last certification.

(ii) All other eligible households shall have the opportunity to purchase in the first issuance cycle of the month following their application.

(f) Any application submitted, without good cause, after the date specified in the notice, shall be treated as an application for initial certification.

((t)) Before taking any action to terminate or reduce a household's benefits within the certification period, the department shall

(a) Give the household at least ten days advance written notice of any such action;))

(2) A written notice of adverse action shall be given the household at least 10 days prior to any action taken to terminate or reduce a household's benefits within the certification period.

(a) This notice shall include:

((t))) (i)((Give in detail)) the reasons for the proposed action,

((t))) (ii) ((Explain)) explanation of the household's right to ((request)) a fair hearing, ((and))

((t))) (iii) the circumstances under which participation is continued if a hearing is requested, ((and))

((t))) (iv) ((Indicate)) Indication of the department's willingness to schedule a conference, if the household wishes to discuss the action.

((t))) (b) ((A notice of adverse action shall not be)) No notice will be required: ((for the expiration of a certification period when no change has been reported and))

(i) when the household has not reapplied((:)) for benefits,

(ii) ((Advance notice is not required)) when mass changes ((in program benefits are required because of changes)) in federal or state law, occur,

(iii) when the local office receives notification of the death of a one-person household((;)) or

(iv) when the household has moved from the project area.

(c) Advance notice may be waived by the household if the head of household, spouse, or authorized representative;

(i) states in writing that food stamps are no longer desired, ((or))
 (ii) supplies information that requires reductions or termination and acknowledges in writing that he knows the required action will be taken and that he waives his right to continuation if a fair hearing is requested.

**WSR 78-09-085
PROPOSED RULES**

SUPERINTENDENT OF PUBLIC INSTRUCTION
[Filed August 28, 1978]

Reviser's Note: The notice of continuance originally filed as this item was voided at the request of the agency by a letter dated August 31, 1978, and therefore has not been set forth in the Register.

**WSR 78-09-086
EMERGENCY RULES**
DEPARTMENT OF FISHERIES
[Order 78-68—Filed August 29, 1978]

I, Gordon Sandison, director of state Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial salmon fishing regulations.

I, Gordon Sandison, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is this regulation was not justifiable to Boldt's Court, therefore its repeal is necessary.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 28, 1978.

By Gordon Sandison
Director

REPEALER

The following section of the Washington Administrative Code is hereby repealed:

WAC 220-28-007C0H CLOSED AREA (78-65)

**WSR 78-09-087
EMERGENCY RULES**
DEPARTMENT OF FISHERIES
[Order 78-69—Filed August 29, 1978]

I, Gordon Sandison, director of state Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, Gordon Sandison, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is 1978 catch levels are approaching maximum allowable harvest. This order is necessary to preserve the stocks.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 29, 1978.

By Gordon Sandison
Director

NEW SECTION

WAC 220-44-04000B COASTAL BOTTOMFISHING SEASONS. Notwithstanding the provisions of WAC 220-44-040, effective September 1, 1978 until further notice it shall be unlawful to possess in or transport through the waters of the state, or land in any Washington State ports, any Pacific Ocean perch (*Sebastodes alutus*) taken from Coastal Marine Fish-Shellfish Management and Catch Reporting Areas 59, 60A, 61 and that portion of 58 within the United States 200 mile fishery conservation zones in amounts greater than five metric tons (11,023 pounds), provided the maximum for boats that fished area 60A shall be one metric ton (2,204.6 pounds).

REPEALER

The following section of the Washington Administrative Code is hereby repealed:

WAC 220-44-04000A COASTAL BOTTOMFISHING SEASONS (78-64)

WSR 78-09-088

NOTICE OF PUBLIC MEETINGS
WASHINGTON STATE UNIVERSITY
[Letter, President—August 25, 1978]

Dr. Robert P. Gibb, President of the Washington State University Board of Regents, has called a special meeting of the Board on September 22, 1978. The meeting will convene at 9:00 a.m. in the Regents Room of the French Administration Building on the Pullman campus.

The meeting previously scheduled for September 15, 1978, has been cancelled. Regular business matters that would have appeared on the agenda of the September 15, 1978, meeting will now be considered at the September 22, 1978, meeting.

President Gibb's action was taken in accordance with the resolution adopted at the meeting of the Board of Regents on February 24, 1978, which was communicated to the Washington State Register by letter on February 27, 1978. See WSR 78-03-089.

WSR 78-09-089
PROPOSED RULES
DEPARTMENT OF PERSONNEL
[Filed August 30, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and 41.06.040, that the State Personnel Board intends to adopt, amend, or repeal rules concerning:

Amd WAC 356-15-120 Special assignment pay provisions.
Amd WAC 356-18-060 Paid sick leave—Use.
Amd WAC 356-30-080 Temporary employment—Exempt service.
Amd WAC 356-30-300 Performance evaluation—((Planning procedure)) Requirements—Monitoring;

that such agency will at 10:00 a.m., Thursday, October 12, 1978, in the Board Meeting Room, 600 South Franklin, Olympia, WA, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 10:00 a.m., Thursday, October 12, 1978, in the Board Meeting Room, 600 South Franklin, Olympia, WA.

The authority under which these rules are proposed is RCW 41.06.040 and 41.06.050.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to October 10, 1978, and/or orally at 10:00 a.m., Thursday, October 12, 1978, Board Meeting Room, 600 South Franklin, Olympia, WA.

Dated: August 29, 1978
By: Leonard Nord
Secretary

AMENDATORY SECTION (Amending Order 121, filed 6/12/78)

WAC 356-15-120 SPECIAL ASSIGNMENT PAY PROVISIONS. Classes to which this Rule applies are marked with the letters "AP" after their titles in the Compensation Plan.

(1) For supervision, training and counseling of mentally retarded residents or mental patients. Basic salary range plus one salary range

shall be paid only to employees in the classes below who have this supervision assigned.

0610 – Retail Clerk 1
0612 – Retail Clerk 2
8003 – Food Service Aide 1
8005 – Food Service Aide 2
8007 – Food Service Aide 3
8205 – Laundry Worker 1
8430 – Seamstress 1
8432 – Seamstress 2

(2) For full time assignment to forklift operations. Basic salary range plus \$10 per month shall be paid only to employees in the class below who have this duty assigned.

7770 – Warehouse Worker 1

(3) For required scuba diving. Basic salary range plus \$7.50 per diving hour shall be paid to employees (other than Master Diver) who have this duty assigned.

(4) For (a) assignment to a telephone board with four or more positions; (b) specific assignment to primary responsibility for security communications control or emergency admissions processing at an institution; or (c) direct supervisory responsibility over PBX Operators having assignments (a) or (b) above. Basic salary range plus one range shall be paid only to employees in the classes below who are assigned these responsibilities.

0215 – PBX Operator
0216 – Chief PBX Operator

(5) For assignment to operate highway equipment rated above their present classification. Basic salary range plus the hourly difference between the top step of the Maintenance Technician 3 class and the top step of the salary range representing a two-range increase over the Maintenance Technician 3 class. Employees operating higher rated highway equipment shall be credited with a minimum of four(4) hours pay at the higher rate for each work day in which they are required to operate the higher level equipment. Overtime for such assignments will be computed at one-and-one-half times the higher salary rate. This special assignment pay shall not apply to employees operating higher level highway equipment in a bona fide training assignment. This special pay provision shall apply only to employees in the classes below.

7107 – Maintenance Technician 1
7109 – Maintenance Technician 2
7111 – Maintenance Technician 3
7115 – Maintenance Lead Technician
7182 – Ferry Operator 1

(6) The Board may approve special pay provisions to the Compensation Plan to reflect hazardous/dangerous working conditions of specific positions when: (1) such conditions are not normally expected of those positions assigned to the respective classes; and (2) such provisions are found to be in accordance with prevailing practices in the industry and/or local community in which the position works.

(7) Basic salary range plus two ranges shall be paid to employees in the Wildlife Control Agent (4105), Wildlife Agent 1 (4110) and 2 (4111) classes. This compensation is for all hours worked subject to provisions of WAC 356-15-030 (1)(e).

(8) Basic salary plus two ranges shall be paid to Fisheries employees in the Fisheries Patrol Officer (4120), Fisheries Patrol Boat Operator 1 (4127) and Airplane Pilot 1 (7348) classes. This compensation is in lieu of all hours worked subject to provisions of WAC 356-15-030 (1)(e). Effective period of this action shall be from April 1, 1978 to December 31, 1978.

AMENDATORY SECTION (Amending Order 84, filed 10/20/75)

WAC 356-18-060 PAID SICK LEAVE—USE. (1) Personal illness: ((Paid)) Accumulated sick leave shall be granted ((to the extent of accumulated credits but only)) when an employee is required to be absent from work for ((one)) any of the following reasons:

(a) Illness or injury of the employee or for preventative health care.
(b) Exposure of the employee to contagious disease when attendance at work would jeopardize the health of others.

(c) Disability of the employee due to pregnancy or childbirth.

((t))) (2) Illness((, injury, or death)) of ((r))Relatives ((of the employee)) and Household Members: Accumulated sick ((L))leave ((for this reason)) shall be ((limited)) granted up to five days ((unless)) for each occurrence or as extended by the ((appointing authority)) agency when an employee is required to be absent from work for any of the following reasons:

(a) Illness, injury or preventative health care of members of the employee's household or relatives of the employee that requires the employee's attendance.

(b) For ((the)) purposes of ((this sub-section)) provisions of (2), "relatives" shall include ((only)):

(1) Spouse.

(2) Child, grandchild, or foster child((, son-in-law, or daughter-in-law)).

(3) Grandparent((,)) or parent((, brother, sister, niece, nephew, aunt, or uncle of either the employee or spouse)).

((4)) Other relatives residing in the employee's household.)

(3) Bereavement: Accumulated sick leave shall be granted up to three days for each occurrence or as extended by the agency for reasons of travel when an employee is required to be absent from work for any of the following reasons:

(a) Death of members of the employee's household or relatives of the employee or the employee's spouse.

(b) For purpose of the provisions of (3), "relatives" shall include:

(1) Spouse.

(2) Child, grandchild, foster child, son-in-law, or daughter-in-law.

(3) Grandparent, parent, brother, sister, niece, nephew, aunt, uncle, cousin, brother-in-law, or sister-in-law.

((5)) (4) Inability of employee to report for scheduled work because of severe inclement weather. (Such use of sick leave shall be limited to three days in any calendar year and shall be used only as specified in WAC 356-18-115.)

((6)) (5) In addition to the reasons listed above, emergency care of a child in the custody of and residing in the home of an employee. (Such use of sick leave shall normally be limited to a maximum of one day per incident, and to three days in any calendar year, unless extended by the appointing authority, and shall be used only as specified in WAC 356-18-116.)

((7)) (6) When a condition listed under (1)(a) or (c) above arises while the employee is on vacation leave, the employee shall be granted accrued sick leave as provided above for the condition (in lieu of the approved vacation leave) provided that the employee requests such sick leave within fourteen days after return to work.

Reviser's Note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION (Amending Order 36, filed 7/1/71)

WAC 356-30-080 TEMPORARY EMPLOYMENT—EXEMPT SERVICE. Appointments to temporary positions as defined in WAC 356-06-020(15) are exempt from these Rules provided:

(1) There is no involvement in federal grant-in-aid.

(2) Positions have been reported to the Director of Personnel.

(3) Compensation and minimum qualifications of appointees are consistent with those for comparable classified positions.

(4) That the appointment lasts for no more than ((six)) nine months.

(5) ((The Director may authorize one extension of three months but may not authorize the temporary appointment of the same person more than twice without a four-month break in service.)) That a two-month break in service has occurred since the last temporary appointment of the same person.

Established registers, certification, and referral service are available for use in filling temporary positions. A temporary employee, appointed following certification from the register, may enter a probationary period and subsequently gain permanent status, when a change in agency needs results in the permanent availability of the position.

AMENDATORY SECTION (Amending Order 36, filed 7/1/71)

WAC 356-30-300 PERFORMANCE EVALUATION—((PLANNING—PROCEDURE—)) REQUIREMENTS—MONITORING. (1) Agencies will evaluate the performance of their full-time, part-time and tandem subordinate employees at least once:

(a) A year when the individual employee is in permanent status.

(b) During the first five months, when the individual employee is in either probationary or trial service status.

(2) The evaluation will be conducted during the month preceding the employee's anniversary date, except an agency can establish and justify a date which better accommodates a specific work cycle. The

alternate date will not extend the appraisal beyond the limits prescribed in (a) and (b) above.

(3) Agencies will utilize the procedures and evaluation forms prescribed by the Director of Personnel. The procedures shall include provisions whereby individual agencies may, with the approval of the Director of Personnel, supplement the process with special factors peculiar to the specific organizational needs.

((1))) (4) ((Agencies, in consultation with the Director, shall establish a performance evaluation procedure for permanent, trial service, probationary, and provisional employees. Such)) The procedures ((will)) and forms shall:

(a) Be designed to aid in communications between supervisors and subordinates and clarify duties and expectations.

(b) Be designed to inform employees of their performance strengths and weaknesses.

(c) Be based on performance toward the goals and objectives of the agency and its sub-units.

(d) Include provisions for the counseling and the development of employees.

(5) The Department of Personnel shall monitor the evaluation of employees for timeliness, effectiveness and standardization.

Reviser's Note: Errors of punctuation or spelling in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

WSR 78-09-090

PROPOSED RULES

UNIVERSITY OF WASHINGTON

[Filed August 30, 1978]

Notice is hereby given in accordance with the provisions of RCW 28B.19.030 and 42.30.060, that the University of Washington intends to adopt, amend, or repeal rules concerning rules and regulations for the University of Washington, implementation of the State Environmental Policy Act, chapter 478-325 WAC;

that such institution will at 7:30 p.m., Thursday, October 19, 1978, in the 234 Savery Hall, University of Washington, Seattle, WA, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Thursday, November 9, 1978, in the 301 Administration Building, University of Washington, Seattle, WA.

The authority under which these rules are proposed is RCW 28B.10.560.

Dated: August 28, 1978

By: Sally G. Tenney
Assistant Attorney General

NEW SECTION

WAC 478-325-025 ADOPTION BY REFERENCE. The university hereby adopts by reference the following sections of the SEPA guidelines, chapter 197-10 of the Washington Administrative Code (WAC).

197-10-025 Scope and coverage of this chapter.

197-10-040 Definitions.

197-10-050 Use of the environmental checklist form.

197-10-060 Scope of a proposal and its impacts for the purpose of lead agency determination, threshold determination and EIS preparation.

197-10-160 No presumption of significance for nonexemption actions.

197-10-170 Categorical exemptions.

197-10-190 Use and effect of categorical exemptions.

197-10-200 Lead agency—Responsibilities.

197-10-203 Determination of lead agency—Procedures.

197-10-205 Lead agency designation—Governmental proposals.

197-10-210 Lead agency designation—Proposals involving both private and public construction activity.

197-10-220 Lead agency designation—Private projects requiring licenses from more than one agency, when one of the agencies is a county/city.

197-10-225 Lead agency designation—Private projects requiring licenses from more than one state agency.

197-10-240 Agreements as to lead agency status.

197-10-245 Agreements between agencies as to division of lead agency duties.

197-10-260 Dispute as to lead agency determination—Resolution by CEP.

197-10-270 Assumption of lead agency status by another agency with jurisdiction.

197-10-300 Threshold determination requirement.

197-10-310 Threshold determination procedures—Environmental checklist.

197-10-320 Threshold determination procedures—Initial review of environmental checklist.

197-10-330 Threshold determination procedures—Information in addition to checklist.

197-10-340 Threshold determination procedures—Negative declarations.

197-10-345 Assumption of lead agency status by another agency with jurisdiction over a proposal—Prerequisites, effect and form of notice.

197-10-350 Affirmative threshold determination.

197-10-355 Form of declaration of significance/nonsignificance.

197-10-360 Threshold determination criteria—Application of environmental checklist.

197-10-365 Environmental checklist.

197-10-370 Withdrawal of affirmative threshold determination.

197-10-375 Withdrawal of negative threshold determination.

197-10-390 Effect of threshold determination of lead agency.

197-10-400 Duty to begin preparation of a draft EIS.

197-10-405 Purpose and function of a draft EIS.

197-10-410 Predraft consultation procedures.

197-10-425 Organization and style of a draft EIS.

197-10-440 Contents of a draft EIS.

197-10-442 Special considerations regarding contents of an EIS on a nonproject action.

197-10-444 List of elements of the environment.

197-10-455 Circulation of the draft EIS—Review period.

197-10-460 Specific agencies to which draft EIS shall be sent.

197-10-465 Agencies possessing environmental expertise.

197-10-470 Cost to the public for reproduction of environmental documents.

197-10-480 Public hearing on a proposal—When required.

197-10-485 Notice of public hearing on environmental impact of the proposal.

197-10-490 Public hearing on the proposal—Use of environmental documents.

197-10-495 Preparation of amended or new draft EIS.

197-10-500 Responsibilities of consulted agencies—State agencies with jurisdiction.

197-10-510 Responsibilities of consulted agencies—State agencies with jurisdiction.

197-10-520 Responsibilities of consulted agencies—State agencies with environmental expertise.

197-10-530 Responsibilities of consulted agencies—When pre-draft consultation has occurred.

197-10-535 Cost of performance of consulted agency responsibilities.

197-10-540 Limitations on responses to consultation.

197-10-545 Effect of no written comment.

197-10-550 Preparation of the final EIS—Time period allowed.

197-10-570 Preparation of the final EIS—Contents when no critical comments received on the draft EIS.

197-10-580 Preparation of the final EIS—Contents when critical comments received on the draft EIS.

197-10-600 Circulation of the final EIS.

197-10-650 Effect of an adequate final EIS prepared pursuant to NEPA.

197-10-652 Supplementation by a lead agency of an inadequate final NEPA EIS.

197-10-660 Use of a previously prepared EIS for a different proposed action.

197-10-690 Use of lead agency's EIS by other acting agency for the same proposal.

197-10-695 Draft and final supplements to a revised EIS.

197-10-700 No action for seven days after publication of the final EIS.

AMENDATORY SECTION (Amending Order 76-2, filed 8/26/76)

WAC 478-325-040 DEFINITIONS. ((The University adopts the definitions promulgated in WAC 197-10-040. The defined terms appearing most frequently in these rules are reprinted here for easy reference. (1) Action. Action means an activity potentially subject to the environmental impact statement requirements of SEPA. All University actions fall within one of the following categories:

(a) Action of a project nature. This includes and is limited to:

(i) the decision by the University to undertake any activity which will directly modify the physical environment, whether such activity will be undertaken directly by the University or through contract with another agency, and

(ii) the decision to purchase, sell, lease, transfer or exchange natural resources, including publicly-owned land, whether or not it directly modifies the environment;

(b) Action of a non-project nature. This includes and is limited to:

(i) the adoption or amendment of rules or regulations which contain standards controlling use or modification of the physical environment;

(ii) the adoption or amendment of comprehensive land use plans;

(iii) the adoption of any policy, plan or program which will govern the development of a series of functionally related major actions, but not including any policy, plan or program for which approval must be obtained from any federal agency prior to implementation; and

(iv) capital budgets.

(2) Declaration of non-significance. Declaration of non-significance means the written decision by the responsible official of the University that a proposal will not have a significant adverse environmental impact and that therefore no environmental impact statement is required.

(3) Declaration of Significance. Declaration of significance means the written decision by the responsible official of the University that a proposal will or could have a significant adverse environmental impact and that therefore an environmental impact statement is required.

(4) Draft EIS. EIS means an environmental impact statement prepared prior to the final detailed statement.

(5) EIS. EIS means the detailed statement required by RCW 43.21C.030(2)(c). It may refer to either a draft or a final environmental impact statement, or both, depending upon context.

(6) Final EIS. Final EIS means an environmental impact statement prepared to reflect comments to the draft EIS. It may consist of a new document or of the draft EIS together with supplementary material prepared pursuant to WAC 478-325-180 and/or WAC 478-325-190.

(7) Lead Agency. Lead agency means the agency which is responsible for making the threshold determination and preparing or supervising preparation of the draft and final environmental impact statements.) In addition to the definitions set forth in WAC 197-10-040, adopted by reference in WAC 478-325-025, the following terms have the following meanings for the purposes of this chapter, unless the context indicates otherwise:

(1) Final action—For purposes of complying with the public notice requirements of RCW 43.21C.080, final action shall mean the university's decision to proceed or not to proceed with a proposal. The type of final action and the point at which it is made during a planning or development process may vary depending on the nature and scope of the proposal. The final action shall be clearly identified in the environmental checklist and/or the environmental impact statement. For proposals involving a series of actions, the final action shall be the first action for which the threshold determination was made.

((8))) (2) Lead unit. Lead unit means that unit of the university which is responsible for making the threshold determination and preparing, or supervising preparation of, the draft and final environmental impact statements.

((9)) Major Action. Major action means any action as defined in this section which is not included as a categorical exemption.

(10) Proposal. Proposal means a specific request to undertake any activity submitted to, and which is seriously considered by, a decision-maker within the University, as well as any action or activity which may result from approval of any such request.

((11)) Responsible Official. Responsible official means that officer, or officers, designated by the President to undertake the University's SEPA responsibilities for that unit's actions.

(12) Threshold Determination. Threshold determination means the decision by a lead unit whether or not an environmental impact statement is required for a proposal.)

AMENDATORY SECTION (Amending Order 76-2, filed 8/26/76)

WAC 478-325-050 TIMING OF THE THRESHOLD DETERMINATION AND EIS PROCESS. (1) The primary purpose of the EIS is to provide environmental information to decision makers to be considered prior to making their decision. The process should thus be completed before any decisions are made which commit the university to a particular course of action, and which would preclude or foreclose alternative courses of action. The actual decision to proceed with many actions may involve a series of individual approvals or decisions. Completion of the threshold determination and EIS (if required) should occur at the earliest point in the planning and decision-making process when the principal features of the proposal and its impact upon the environment can be reliably identified. In many cases, however, preliminary decisions must be made upon a proposal before the proposal is sufficiently definite to permit environmental analysis.

(2) For project-type actions involving construction or modification of facilities, the threshold determination ((and any required EIS)), final DNS or draft EIS shall be completed prior to the ((approval of)) authorization to prepare working drawings. When an EIS is required, the draft EIS shall be completed before authorization is provided to prepare working drawings.

(3) For nonproject type actions, the threshold determination and any required EIS shall be completed prior to final approval or adoption of the action by the Board of Regents or agent delegated by the board to take such action.

AMENDATORY SECTION (Amending Order 76-2, filed 8/26/76)

WAC 478-325-060 SEPA INFORMATION CENTER. (1) The University of Washington Visitor's Information Center at 4014 University Way N.E., Seattle, Washington 98105, shall serve as the university's SEPA information center.

(2) The following documents shall be maintained at the SEPA public information center:

(a) ((Copies of all declarations of non-significance filed by the University for a period of one year.

(b) Copies of all EIS's prepared by the University for a period of three years. Draft EIS's which have been superseded by a final EIS need not be maintained at the center.

(c) A current list of individuals designated as responsible officials for University compliance with SEPA.

(d) Agendas, minutes and a current membership list of the University's Environmental Advisory Committee.

(3) In addition, the following registers shall be maintained at the information center, each register including for each proposal its location, a brief description of the nature of the proposal, the date first listed on the register, and a contact person or office from which further information may be obtained:

(a) A Proposed Declaration of Non-Significance Register which shall contain a list of all current proposed declarations on non-significance;

(b) An EIS In-Preparation Register which shall contain a list of all proposals for which the University is currently preparing an EIS, and the date by which the EIS is expected to be available;

(c) An EIS Available Register which shall contain a list of all draft and final EIS's prepared by the University during the previous three years, including the date by which comments must be received on draft EIS's and the date for any public hearing scheduled for the proposal.

(4) Each of the registers required by WAC 478-325-060(3) shall be kept current and maintained at the information center for public inspection. In addition, the registers, or updates thereof containing new entries added since the last mailing shall be mailed once every two weeks to those organizations and individuals who make written request therefor, unless no new proposals are placed on the register, in which event a copy of the register or update shall be mailed when a new proposal is added. A fee to cover the actual costs of copying and postage may be charged for the service of mailing the registers or updates.

(5) The documents required to be maintained at the information center shall be available for public inspection and copies thereof shall be provided upon request. A fee to cover the actual cost of copying will be charged for copies.) Copies of all SEPA Public Information Registers for a period of one year from the date of publication.

(b) Copies of all environmental checklists, final declarations of non-significance and declarations of significance for a period of one year from the date of issue.

(c) Copies of all proposed declarations of nonsignificance for a period of fifteen days after the date of issue.

(d) Copies of all draft and final EIS's for a period of two years after the date of publication.

(e) A current list of individuals designated as responsible officials for university compliance with SEPA.

(f) A current membership list of the SEPA advisory committee.

(g) Copies of agendas and minutes of the SEPA advisory committee for a period of one year after the date of issue.

(3) The documents required to be maintained at the SEPA information center shall be available for public inspection and copies thereof shall be provided upon request. A fee to cover the actual cost of printing/copying may be charged for copies.

AMENDATORY SECTION (Amending Order 76-2, filed 8/26/76)

WAC 478-325-070 ((SCOPE OF PROPOSAL AND ITS IMPACT FOR PURPOSES OF THRESHOLD DETERMINATION AND EIS DETERMINATION). The proposal considered during the threshold determination and EIS preparation shall be the total proposal including its direct and indirect impacts, as further defined in WAC 197-10-060.) **EXEMPTIONS FOR EMERGENCY ACTIONS.** Actions which must be undertaken immediately, or within a time too short to allow full compliance with these rules, to avoid an imminent threat to public health or safety, to prevent an imminent danger to public or private property, or to prevent an imminent threat of serious environmental degradation, shall be exempt from the procedural requirements of this chapter. Such actions include, but are not limited to, the following:

(1) Emergency pollution control actions responding to accidental discharges, leaks or spills into the air, state waters, or on land.

(2) Implementation of a change in waste disposal procedures caused by unanticipated changes in waste sources which are in compliance with federal and state regulations and standards.

(3) Clean-up or decontamination of academic and research facilities or equipment accidentally exposed or contaminated, to permit maintenance, repair or relocation, when procedures followed are in accordance with federal or state guidelines, recommendations or standards.

(4) Emergency actions implemented to reduce an imminent hazard to the health and safety of an element of the university resulting from structural failure, equipment malfunction, human error or natural event.

AMENDATORY SECTION (Amending Order 76-2, filed 8/26/76)

WAC 478-325-080 ((EXEMPTIONS). (1) Actions which fall within the categories listed below may be categorical exemptions under WAC 197-10-170 and therefore exempt from the threshold determination and EIS requirements of SEPA. The definitions of WAC 197-10-170 are to be followed in determining whether a lead unit's proposal falls within such category. Specific categorical exemptions of special relevance to potential University actions include the following:

(a) The construction of an office, school, commercial, recreational, service or storage building with less than 4,000 square feet of floor area, and with associated parking facilities designed for twenty automobiles or less.

(b) The construction of a parking lot designed for twenty automobiles or less.

(c) The repair, maintenance or minor alteration of existing private or public structures, facilities or equipment, including utilities, involving no material expansions or changes in use beyond that previously existing.

(d) The procurement and distribution of general supplies, equipment and services previously authorized, or necessitated by previously approved functions or programs.

(e) The adoption of all budgets and requests for appropriation: PROVIDED, That if such adoption includes a final decision to undertake a major action, that portion of the budget is not exempted by this subsection:

(f) The borrowing of funds, issuance of bonds, or applying for a grant and related financing agreements and approvals.

(g) All personnel actions, including hiring, terminations, appointments, promotions, allocations of positions, and expansions or reductions in force.

(h) All organization, reorganization, internal operational planning or coordination of plans or functions.

(i) The purchase or acquisition of any right to real property.

(j) Proposals for basic data collection, research, resource evaluation and the conceptual planning of proposed actions. These may be for strictly information-gathering purposes, or as part of a study leading to a proposal which has not yet been approved, adopted or funded. This exemption does not include any agency action which commits the University to proceed with the proposal.

(2) The University may petition, pursuant to RCW 34.04.060 and WAC 197-10-150, for adoption of additional exemptions or for deletion of existing exemptions through amendments to these rules. All such petitions must be reviewed by the Environmental Advisory Committee and approved by the President.

(3) Certain categorical exemptions may not apply in any areas designated as environmentally sensitive in city or county SEPA rules. Such rules should be consulted if applicable. Major actions which will be located within environmentally sensitive areas are to be treated no different from other major actions. A threshold determination shall be made for all such actions, and an EIS shall not be automatically required for a proposal merely because it is proposed for location in an environmentally sensitive area. Certain categorical exemptions do not apply on lands covered by water, and this remains true regardless of whether or not lands covered by water are mapped.

(4) Actions which must be undertaken immediately, or within a time too short to allow full compliance with these rules, to avoid an imminent threat to public health or safety, to prevent an imminent danger to public or private property, or to prevent an imminent threat of serious environmental degradation, shall be exempt from the procedural requirements of this chapter. Such actions include, but are not limited to, the following:

(a) Emergency pollution control actions responding to accidental discharges, leaks or spills into the air, state waters, or on land.

(b) Implementation of a change in waste disposal procedures caused by unanticipated changes in waste sources which are in compliance with federal and state regulations and standards.

(c) Clean-up or decontamination of academic and research facilities or equipment accidentally exposed or contaminated, to permit maintenance, repair or relocation, when procedures followed are in accordance with federal or state guidelines, recommendations or standards.

(d) Emergency actions implemented to reduce an imminent hazard to the health and safety of an element of the University resulting from structural failure, equipment malfunction, human error or natural event.)) LEAD AGENCY. (1) Except as otherwise specifically provided herein, the university shall serve as the lead agency for all proposals it initiates. In the event that one or more additional agencies share in the implementation of the proposal, the university and the agencies shall by agreement determine which agency will assume the status of lead agency. Any dispute over lead agency determination shall be settled in accordance with the provisions of WAC 197-10-260.

(2) When the total proposal will involve both private and university construction activity, it shall be characterized as either a private or a university project for the purposes of lead agency designation, depending upon whether the primary sponsor or initiator of the project is the university or a private party. Any project in which university and private interests are too intertwined to make this characterization shall be considered a university project.

(3) The university's responsibilities as lead agency include complying with the threshold determination procedures; the supervision, or actual preparation of draft EIS's, including the circulation of such statements, the conduct of any public hearings required by these rules; and the supervision or preparation of required final EIS's.

(4) Exceptions to the university's status as lead agency are as follows:

(a) For all proposals which are being processed under the Environmental Coordination Procedures Act of 1973 (ECPA), chapter 90.62 RCW, the lead agency shall be determined by the department of ecology.

(b) For proposals that will result in an impoundment of water with a water surface in excess of 40 acres, the lead agency shall be the department of ecology.

(c) For proposals to construct facilities on a single site designed for or capable of storing a total of one million or more gallons of any liquid fuel, the lead agency shall be the department of ecology.

AMENDATORY SECTION (Amending Order 76-2, filed 8/26/76)

WAC 478-325-090 ((EFFECT OF EXEMPT STATUS. (1) Those activities excluded from the definition of action in WAC 478-325-040, or categorically exempted by WAC 478-325-080, are exempt from the threshold determination (including completion of the environmental checklist) and EIS requirements of these guidelines and RCW 43.21C.030(2)(c) and (2)(d). No exemption is allowed for the sole reason that actions are considered to be of a "ministerial" nature or of an environmentally regulatory or beneficial nature. If a proposal includes a series of actions, physically or functionally related to each other, some of which are categorically exempt and some of which are not, the proposal is not exempt. However, for such proposal, exempt activities or actions may be undertaken prior to the threshold determination, subject to the timing considerations in WAC 478-325-050. For each such proposal a threshold determination shall be made prior to any major action with respect to the proposal, and prior to any decision irreversibly committing the University to adopt or approve the proposal. If the proposal includes a series of exempt actions which are physically or functionally related to each other, but which together may have a significant environmental impact, the proposal is not exempt.

(2) No presumption as to the significance of the impacts upon the environment shall be given to any proposed action merely because it was not exempted.)) LEAD UNIT. (1) For university actions subject to SEPA, the university academic or administrative unit initiating the action shall be charged with the university's lead agency responsibilities.

(2) For actions involving more than one university unit, the involved units shall by agreement determine which unit will assume the university's lead agency responsibilities. Any dispute as to lead unit determination shall be resolved by the president.

(3) The department of facilities planning and construction shall have primary university responsibility for providing procedural advice with regard to these rules. All university units with environmental expertise should strive to make their services available to lead units to assist in the university's compliance with SEPA.

AMENDATORY SECTION (Amending Order 76-2, filed 8/26/76)

WAC 478-325-100 ((LEAD AGENCY. (1) Except as otherwise specifically provided herein, the University shall serve as the lead agency for all proposals it initiates. In the event that one or more additional agencies share in the implementation of the proposal, the University and the agencies shall by agreement determine which agency will assume the status of lead agency. Any dispute over lead agency determination shall be settled in accordance with the provisions of WAC 197-10-260.

(2) When the total proposal will involve both private and University construction activity, it shall be characterized as either a private or a University project for the purposes of lead agency designation, depending upon whether the primary sponsor or initiator of the project is the University or a private party. Any project in which University and private interests are too intertwined to make this characterization shall be considered a University project.

(3) The University's responsibilities as lead agency include complying with the threshold determination procedures, the supervision, or actual preparation, of draft EIS's, including the circulation of such statements, the conduct of any public hearings required by these rules, and the supervision or preparation of required final EIS's.

(4) Exceptions to the University's status as lead agency are as follows:

(a) For all proposals which are being processed under the Environmental Coordination Procedures Act of 1973 (ECPA), chapter 90.62 RCW, the lead agency shall be determined by the Department of Ecology.

(b) For proposals that will result in an impoundment of water with a water surface in excess of 40 acres, the lead agency shall be the Department of Ecology.

(c) For proposals to construct facilities on a single site designed for or capable of storing a total of one million or more gallons of any liquid fuel, the lead agency shall be the Department of Ecology.)) RESPONSIBLE OFFICIALS. (1) The president shall appoint a responsible official for each unit of the university which may initiate a major action which may directly or indirectly adversely affect the quality of the environment.

(2) Responsible officials shall carry out the duties and functions of the university with regard to these rules for all major actions initiated by their unit.

AMENDATORY SECTION (Amending Order 76-2, filed 8/26/76)

WAC 478-325-110 ((LEAD UNIT.) (1) For University action subject to SEPA, the University academic or administrative unit initiating the action shall be charged with the University's lead agency responsibilities, with the exceptions indicated in WAC 478-325-110(2) and 478-325-110(3)).

(2) For actions involving more than one University unit, the involved units shall by agreement determine which unit will assume the University's lead agency responsibilities. Any dispute as to lead unit determination shall be resolved by the President.

(3) The Department of Facilities Planning and Construction shall have primary University responsibility for providing procedural advice with regard to these rules. All University units with environmental expertise should strive to make their services available to lead units to assist in the University's compliance with SEPA.) SEPA ADVISORY COMMITTEE. (1) A SEPA advisory committee shall be established to assist with the university's compliance with the State Environmental Policy Act. The president shall appoint committee members representing the students, faculty, and staff.

(2) The committee shall adopt procedures which provide for the review of environmental documents within the time limits established by WAC 478-325-050.

(3) The committee shall review all nonexempt actions for compliance with the provisions of the SEPA guidelines. Review shall occur at the earliest possible time after a proposal has been defined sufficiently to permit meaningful environmental analysis or a recommendation has been made by the staff or responsible official, but before a final decision has been made.

Normally the committee review shall occur:

(a) After completion of an environmental checklist, but before the threshold determination.

(b) After the review of a proposed DNS but prior to a decision to issue a final DNS, if substantive comments have been received regarding the proposed DNS.

(c) Prior to the publication of any draft EIS.

(d) Prior to publication of any final EIS.

(4) The committee's recommendations shall be advisory only and shall in no way relieve responsible officials of their responsibilities as established by these rules and regulations.

AMENDATORY SECTION (Amending Order 76-2, filed 8/26/76)

WAC 478-325-120 ((RESPONSIBLE OFFICIALS.) (1) The President shall appoint a responsible official for each unit of the University which may initiate a major action which may directly or indirectly adversely affect the quality of the environment.

(2) A current list of all designated responsible officials shall be maintained at the SEPA information center.

(3) Responsible officials shall carry out the duties and functions of the University with regard to these rules for all major actions initiated by their unit.) DRAFT EIS—OPTIONAL ADDITIONAL ELEMENTS—LIMITATIONS. The responsible official may include additional elements covering social, cultural and/or economic issues to the list in WAC 197-10-444. Such additional elements shall become part of the environment for EIS purposes, and not otherwise. When the university is lead agency, the rules and regulations of the university shall control the content of the EIS, even though other agencies with jurisdiction are involved in the proposal.

AMENDATORY SECTION (Amending Order 76-2, filed 8/26/76)

WAC 478-325-130 ((ENVIRONMENTAL ADVISORY COMMITTEE.) (1) An Environmental Advisory Committee shall be established to assist with University compliance with the State Environmental Policy Act. The President shall appoint committee members representing the students, faculty and staff.

(2) The Committee shall adopt procedures which provide for the review of environmental documents within the time limits established by WAC 478-325-150(2) and WAC 478-325-170(3).

(3) The Committee shall be provided with the opportunity to review the following environmental documents:

(a) All draft environmental impact statements;

(b) All contested proposed or final declarations of non-significance, and other proposed or final declarations of non-significance as identified by the chairperson and secretary of the Committee; and

(c) Any proposed revisions to this chapter or to the State SEPA Guidelines.

(4) The Committee's recommendations shall be advisory only and shall in no way relieve responsible officials of their responsibilities as established by these rules and regulations.) SEVERABILITY. If any provision of this chapter or its application to any person or circumstance is held invalid, the remainder of this chapter, or the application of the provision to other persons or circumstances, shall not be affected.

REPEALER

The following sections of the Washington Administrative Code are repealed:

(1) WAC 478-325-140 THRESHOLD DETERMINATION.

(2) WAC 478-325-150 DECLARATIONS OF NONSIGNIFICANCE.

(3) WAC 478-325-160 DRAFT ENVIRONMENTAL IMPACT STATEMENTS.

(4) WAC 478-325-170 PUBLIC AWARENESS, HEARINGS AND CIRCULATION OF DRAFT EIS.

(5) WAC 478-325-180 PREPARATION, CONTENTS AND CIRCULATION OF FINAL EIS.

(6) WAC 478-325-190 USE AND EFFECTS OF OTHER EIS'S.

WSR 78-09-091 EMERGENCY RULES DEPARTMENT OF FISHERIES

[Order 78-70—Filed August 30, 1978]

I, Gordon Sandison, director of state Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, Gordon Sandison, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is harvestable numbers of fish have been taken in Hood Canal area. Closure of 7C closed to protect Samish River hatchery stocks.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 30, 1978.

By Gordon Sandison
Director

NEW SECTION

WAC 220-28-007C01 CLOSED AREA Effective September 3, 1978 until further notice it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with any type of gear in Treaty Indian Salmon Management and Catch Reporting Area 7C.

NEW SECTION

WAC 220-28-01200F CLOSED AREA Effective immediately until further notice, it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with any type gear in Treaty Indian Salmon Management and Catch Reporting Area 12.

NEW SECTION

WAC 220-28-012C0B CLOSED AREA Effective immediately until further notice, it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for, or possess salmon for commercial purposes with any type gear in Treaty Indian Salmon Management and Catch Reporting Area 12C.

NEW SECTION

WAC 220-28-012D0F CLOSED AREA Effective 9:00 A.M., August 31, 1978 until further notice, it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for, or possess salmon for commercial purposes with any type gear in Treaty Indian Salmon Management and Catch Reporting Area 12D.

NEW SECTION

WAC 220-28-012E0A CLOSED AREA Effective immediately until further notice, it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for, or possess salmon for commercial purposes with any type gear, in treaty Indian Salmon Management and Catch Reporting Area 12E.

NEW SECTION

WAC 220-28-012F0A CLOSED AREA Effective immediately until further notice, it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for, or possess salmon for commercial purposes with any type gear in the Skokomish River outside of the boundaries of the Skokomish Indian Reservation.

REPEALER

The following sections of the Washington Administrative Code are hereby repealed:

WAC 220-28-007C0G CLOSED AREA (78-44)
WAC 220-28-01200E CLOSED AREA (78-44)
WAC 220-28-012C0A CLOSED AREA (78-44)
Effective 9:00 A.M. 8/31/78
WAC 220-28-012D0E CLOSED AREA (78-44)

V/C

WSR 78-09-092
ADOPTED RULES
DEPARTMENT OF LABOR AND INDUSTRIES
[Order 78-16—Filed August 31, 1978]

I, John C. Hewitt, director of the Department of Labor and Industries, do promulgate and adopt at the Director's Office, Olympia, Washington 98504, the annexed rules relating to:

New WAC 296-62-07335 Benzene, reflecting 29 CFR 1910.1028.

Amd WAC 296-305-005 Scope and application, to eliminate volunteer fire fighters from the vertical standard.

This action is taken pursuant to Notice No. WSR 78-04-079 filed with the code reviser on 4/4/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 49.17.040, 49.17.050, 49.17.240, chapters 43.22 and 42.30 RCW, and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED June 15, 1978.

By John C. Hewitt
Director

NEW SECTION

WAC 296-62-07335 BENZENE. (1) Scope and Application.

(a) This section applies to each place of employment where benzene is produced, reacted, released, packaged, repackaged, stored, transported, handled, or used.

(b) This section does not apply to:

(i) The storage, transportation, distribution, dispensing, sale or use as fuel of gasoline motor fuels or other fuels subsequent to discharge from bulk terminals; or

(ii) The storage, transportation, distribution or sale of benzene in intact containers sealed in such a manner as to contain benzene vapors or liquid, except for the requirements of subsection (11)(b),(c),(d) and (e), and subsection (10) of this section.

(iii) Work operations where the only exposure to benzene is from liquid mixtures containing 0.5 percent (0.1 percent after June 27, 1981) or less of benzene by volume, or the vapors released from such liquids.

(2) Definitions Applicable to This Section:

(a) "Action level" – an airborne concentration of benzene of 0.5 ppm, averaged over an 8-hour work day.

(b) "Authorized person" – any person required by his duties to enter a regulated area and authorized to do so by his employer, by this section or by the Washington Industrial Safety and Health Act of 1973. Authorized person includes a representative of employees who is designated to observe monitoring and measuring procedures under subsection (13) of this section.

(c) "Benzene" - (C_6H_6) CAS Registry No. 00071432), means solid, liquefied or gaseous benzene. It includes mixtures of liquids containing benzene and the vapors released by these liquids.

(d) "Bulk terminal" - a facility which is used for the storage and distribution of gasoline, motor fuels or other fuels and which receives its petroleum products by pipeline, barge or marine tanker.

(e) "Director" - the Director of Labor and Industries, or his authorized representative.

(f) "Emergency" - any occurrence such as, but not limited to, equipment failure, rupture of containers, or failure of control equipment which may, or does, result in a massive release of benzene.

(3) Permissible Exposure Limits. (a) Inhalation.

(i) Time-weighted average limit (TWA). The employer shall assure that no employee is exposed to an airborne concentration of benzene in excess of 1 part benzene per million parts of air (1 ppm), as an 8-hour time-weighted average.

(ii) Ceiling limit. The employer shall assure that no employee is exposed to an airborne concentration of benzene in excess of 5 ppm as averaged over any 15 minute period.

(b) Dermal and eye exposure limit. The employer shall assure that no employee is exposed to eye contact with liquid benzene; or to skin contact with liquid benzene, unless the employer can establish that the skin contact is an isolated instance.

(4) Regulated areas. (a) The employer shall establish within each place of employment, regulated areas where benzene concentrations are in excess of the permissible airborne exposure limit.

(b) The employer shall limit access to regulated areas to authorized persons.

(c) Notification of regulated areas. Within 30 days following the establishment of a regulated area, the employer shall report the following information to the Director:

(i) The address of each establishment which has one or more regulated areas;

(ii) The locations, within the establishment, of each regulated area;

(iii) A brief description of each process or operation which results in employee exposure to benzene in regulated areas; and

(iv) The number of employees engaged in each process or operation within each regulated area which results in exposure to benzene and an estimate of the frequency and degree of exposure within each regulated area.

(5) Exposure Monitoring and Measurement. (a) General.

(i) Determinations of airborne exposure levels shall be made from air samples that are representative of each employee's exposure to benzene over an eight hour period.

(ii) For the purposes of this section, employee exposure is that exposure which would occur if the employee were not using a respirator.

(b) Initial Monitoring. (i) Each employer who has a place of employment where benzene is produced, reacted, released, packaged, repackaged, stored, transported, handled or used, shall monitor each of these workplaces and work operations to accurately determine the airborne concentrations of benzene to which employees may be exposed.

(ii) The initial monitoring required under subsection (5)(b)(i) of this section shall be conducted and the results obtained within 30 days of the effective date of this section. Where the employer has monitored after January 4, 1977, and the monitoring satisfies the accuracy requirements of subsection (5)(f) of the section, the employer may rely on such earlier monitoring to satisfy the requirements of subsection (5)(b)(i) of this section, unless there has been a production, process, personnel or control change which may have resulted in new or additional exposures to benzene or the employer has any other reason to suspect a change which may have resulted in new or additional exposures to benzene; and provided that the employer maintains a record of the monitoring in accordance with subsection (12)(a) and notifies each employee in accordance with subsection (5)(e).

(c) Frequency. (i) Measurements below the action level. If the measurements conducted under subsection(5)(b)(i) of this section reveal employee exposure to be below the action level, the measurements need not be repeated, except as otherwise provided in subsection (5)(d) of this section.

(ii) Measurements at or above the action level. If the measurements reveal employee exposure to be at or in excess of the action level, but below the permissible exposure limit, the employer shall repeat the monitoring at least quarterly. The employer shall continue these quarterly measurements until at least two consecutive measurements, taken at least seven days apart, are below the action level, and thereafter the employer may discontinue monitoring, except as provided in subsection (5)(e) of this section.

(iii) Measurements above the permissible exposure limit. If the measurements reveal employee exposure to be in excess of the permissible exposure limits, the employer shall repeat the measurements at least monthly. The employer shall continue these monthly measurements until at least two consecutive measurements, taken at least seven days apart, are below the permissible exposure limits, and thereafter the employer shall monitor at least quarterly.

(d) Additional monitoring. (i) Whenever there has been a production, process, personnel or control change which may result in new or additional exposure to benzene or whenever the employer has any other reason to suspect a change which may result in new or additional exposures to benzene, the employer shall repeat the monitoring which is required by subsection (5)(b)(i) of this section.

(ii) Whenever spills, leaks, ruptures or other breakdowns occur, the employer shall repeat the monitoring which is required by subsection (5)(b)(i) after cleanup of the spill or repair of the leak, rupture or other breakdown.

(e) Employee notification. (i) Within 5 working days after the receipt of measurement results, the employer shall notify each employee in writing of the exposure measurements which represent that employee's exposure.

(ii) Where the results indicate that the employee's exposure exceeds the permissible exposure limits, the notification shall also include the corrective action being taken or to be taken by the employer to reduce exposure to or below the permissible exposure limit.

(f) Accuracy of measurement. The employer shall use a method of measurement which has an accuracy, to a confidence level of 95 percent, of not less than plus or minus 25 percent for concentrations of benzene greater than or equal to 1 ppm.

(6) Methods of Compliance. (a) Priority of compliance methods. The employer shall institute engineering and work practice controls to reduce and maintain employee exposures to benzene at or below the permissible exposure limits, except to the extent that the employer establishes that these controls are not feasible. Where feasible engineering and work practice controls are not sufficient to reduce employee exposures to or below the permissible exposure limits, the employer shall nonetheless use them to reduce exposures to the lowest level achievable by these controls, and shall supplement them by the use of respiratory protection.

(b) Compliance program. (i) The employer shall establish and implement a written program to reduce exposures to or below the permissible exposure limits solely by means of engineering and work practice controls required by subsection (6)(a) of this section.

(ii) The written program shall include a schedule for development and implementation of the engineering and work practice controls. These plans shall be revised and updated at least every six months to reflect the current status of the programs.

(iii) Written plans for these compliance programs shall be submitted, upon request, to the Director, and shall be available at the worksite for examination and copying by the Director, and the employees or their authorized representatives.

(iv) The employer shall institute and maintain at least the controls described in his most recent written compliance program.

(7) Respiratory Protection. (a) General. Where respiratory protection is required under this section, the employer shall select, provide and assure the use of respirators. Respirators shall be used in the following circumstances:

(i) During the time period necessary to install or implement feasible engineering and work practice controls;

(ii) During maintenance and repair activities in which engineering and work practice controls are not feasible;

(iii) In work situations where feasible engineering and work practice controls are not yet sufficient to reduce exposure to or below the permissible exposure limits; or

(iv) In emergencies.

(b) Respirator selection. (i) Where respiratory protection is required under this section, the employer shall select and provide at no cost to the employee, the appropriate respirator from Table I and shall assure that the employee uses the respirator provided.

(ii) The employer shall select respirators from among those approved by the National Institute for Occupational Safety and Health, and according to WAC 296-24-081.

(c) Respirator program. The employer shall institute a respiratory protection program in accordance with WAC 296-24-081.

(d) Respirator use. (i) Where air-purifying respirators (cartridge, canister, or gas mask) are used, the employer shall, except as provided in subsection (7)(d)(ii) of this section, replace the air-purifying canisters or cartridges prior to the expiration of their service life or the end of shift in which they are first used, whichever occurs first.

(ii) Where a cartridge or canister of an air-purifying respirator has an end of service life indicator certified by NIOSH for benzene, the employer may permit its use until such time as the indicator shows the end of service life.

(iii) The employer shall assure that the respirator issued to the employee exhibits minimum facepiece leakage and that the respirator is properly fitted.

(iv) The employer shall allow each employee who wears a respirator to wash his or her face and respirator facepiece to prevent skin irritation association with respirator use.

TABLE I
RESPIRATORY PROTECTION FOR BENZENE

Airborne Concentration of Benzene or Condition of Use	Respirator Type
(a) Less than or equal to 10 p/m	(1) Any chemical cartridge respirator with organic vapor cartridge; or (2) Any supplied air respirator.
(b) Less than or equal to 50 p/m	(1) Any chemical cartridge respirator with organic vapor cartridge and full facepiece; (2) Any supplied air respirator with full facepiece; (3) Any organic vapor gas mask; or (4) Any self-contained breathing apparatus with full facepiece.
(c) Less than or equal to 1,000 p/m	(1) Supplied air respirator with half mask in positive pressure mode.
(d) Less than or equal to 2,000 p/m	(1) Supplied air respirator with full facepiece, helmet or hood, in positive pressure mode.
(e) Less than or equal to 10,000 p/m	(1) Supplied air respirator and auxilliary self-contained facepiece in positive pressure mode; or (2) Open circuit self-contained breathing apparatus with full facepiece in positive pressure mode.
(f) Escape	(1) Any organic vapor gas mask; or (2) Any self-contained breathing apparatus with full facepiece.
(8) Protective Clothing and Equipment. Where eye or dermal exposure may occur, the employer shall provide, at no cost to the employee, and assure that the employee	

wears impermeable protective clothing and equipment to protect the area of the body which may come in contact with liquid benzene. Eye and face protection shall meet the requirements of WAC 296-24-07801.

(9) Medical Surveillance. (a) General. (i) The employer shall make available a medical surveillance program for employees who are or may be exposed to benzene at or above the action level and employees who are subjected to an emergency.

(ii) The employer shall assure that all medical examinations and procedures are performed by or under the supervision of a licensed physician, and provided without cost to the employee.

(b) Initial examinations. (i) Within thirty days of the effective date of this section, or before the time of initial assignment, the employer shall provide each employee who is or may be exposed to benzene at or above the action level with a medical examination, including at least the following elements:

(A) A history which includes past work exposure to benzene or any other hematologic toxins; a family history of blood dyscrasias including hematological neoplasms; a history of blood dyscrasias including genetically related hemoglobin alterations, bleeding abnormalities, abnormal function of formed blood elements; a history of renal or liver dysfunction, a history of drugs routinely taken, alcoholic intake and systemic infections; a history of exposure to marrow toxins outside of the current work situation, including volatile cleaning agents and insecticides;

(B) Laboratory tests, including a complete blood count with red cell count, white cell count with differential, platelet count, hematocrit, hemoglobin and red cell indices (MCV, MCH, MCHC), serum bilirubin and reticulocyte count; and

(C) Additional tests where, in the opinion of the examining physician, alterations in the components of the blood are related to benzene exposure.

(ii) No medical examination is required to satisfy the requirements of subsection (9)(b)(i) of this section if adequate records show that the employee has been examined in accordance with the procedures of subsection (9)(b)(i) of this section within the previous six months.

(c) Information provided to the physician. The employer shall provide the following information to the examining physician for each examination under this section:

- (i) A copy of this regulation;
- (ii) A description of the affected employee's duties as they relate to the employee's exposure;
- (iii) The employee's representative exposure level or anticipated exposure level;

- (iv) A description of any personal protective equipment used or to be used; and

- (v) Information from previous medical examinations of the affected employee which is not readily available to the examining physician.

(d) Physician's written opinions. (i) For each examination under this section, the employer shall obtain and provide the employee with a copy of the examining physician's written opinion containing the following:

- (A) The results of the medical examination and tests;

- (B) The physician's opinion concerning whether the employee has any detected medical conditions which would place the employee's health at increased risk of material impairment from exposure to benzene;

- (C) The physician's recommended limitations upon the employee's exposure to benzene or upon the employee's use of protective clothing or equipment and respirators.

- (ii) The written opinion obtained by the employer shall not reveal specific findings or diagnoses unrelated to occupational exposures.

(e) Periodic examinations. (i) The employer shall provide each employee covered under subsection (9)(b) of this section with a medical examination at least semi-annually following the initial examination. These periodic examinations shall include at least the following elements:

- (A) A brief history regarding any new exposure to potential marrow toxins, changes in drug and alcohol intake and the appearance of physical symptoms relating to blood disorders;

- (B) A complete blood count with red cell count, white cell count with differential, platelet count, hemoglobin, hematocrit and red cell indices (MCV, MCH, MCHC); and

- (C) Additional tests where in the opinion of the examining physician, alterations in the components of the blood are related to benzene exposure.

- (ii) Where the employee develops signs and symptoms commonly associated with toxic exposure to benzene, the employer shall provide the employee with a medical examination which shall include those elements considered appropriate by the examining physician.

(f) Emergency situations. If the employee is exposed to benzene in an emergency situation, the employer shall provide the employee with a urinary phenol test at the end of the employee's shift. The urine specific gravity shall be corrected to 1.024. If the result of the urinary phenol test is below 75 mg phenol/L of urine, no further testing is required. If the result of the urinary phenol test is equal to or greater than 75 mg phenol/L of urine, the employer shall provide the employee with a complete blood count including a red cell count, white cell count with differential, and platelet count as soon as practicable, and shall provide these same counts one month later.

(g) Special examinations. (i) Where the results of any tests required by this section reveal that any of the following conditions exist, the employer shall have the test results of the employee evaluated by a hematologist:

- (A) The red cell count, hemoglobin or platelet count varies more than 15 percent above or below the employee's most recent values;

- (B) The red cell count is below 4.4 million or above 6.3 million per mm³, (for males), or below 4.2 million or above 5.5 million per mm³ (for females);

- (C) The hemoglobin is below 14 grams percent or above 18 grams percent (for males) or below 12 grams percent or above 16 grams percent (for females);

- (D) The white cell count is below 4,200 or above 10,000/mm³;

- (E) The thrombocyte count is below 140x10³ cells per mm³ or above 440x10³ cells per mm³.

(ii) In addition to the information required to be provided to the physician under subsection (9)(c) of this section, the employer shall provide the hematologist with the medical record required to be maintained by subsection (12)(b) of this section.

(iii) The hematologist's evaluation shall include a determination as to the need for additional tests, and the employer shall assure that these tests are provided.

(10) Employee Information and Training. (a) Training program. (i) The employer shall institute a training program for all employees assigned to workplaces where benzene is produced, reacted, released, packaged, repackaged, stored, transported, handled or used and shall assure that each employee assigned to these workplaces is informed of the following:

(A) The information contained in Appendix A and B*⁽¹⁾;

(B) The quantity, location, manner of use, release, or storage of benzene and the specific nature of operations which could result in exposure above the permissible exposure limits as well as necessary protective steps;

(C) The purpose, proper use, and limitations of personal protective equipment and clothing required by subsection (8) of this section and of respiratory devices required by subsection (7) of this section and WAC 296-24-081;

(D) The purpose and a description of the medical surveillance program required by subsection (9) of this section and the information contained in Appendix C*⁽¹⁾; and

(E) The contents of this standard.

(ii) The training program required under subsection (10)(a)(i) of this section shall be provided within 90 days of the effective date of this section or at the time of initial assignment to workplaces where benzene is produced, reacted, released, packaged, repackaged, stored, transported, handled or used, and at least annually thereafter.

(b) Access to training materials. (i) The employer shall make a copy of this standard and its appendices readily available to all affected employees.

(ii) The employer shall provide, upon request, all materials relating to the employee information and training program to the Director.

(11) Signs and Labels. (a) The employer shall post signs in regulated areas bearing the following legend:

**DANGER
BENZENE
CANCER HAZARD
FLAMMABLE—NO SMOKING
AUTHORIZED PERSONNEL ONLY
RESPIRATOR REQUIRED**

(b) The employer shall assure that caution labels are affixed to all containers of benzene and of products containing any amount of benzene, except:

(i) Pipelines, and

(ii) Transport vessels or vehicles carrying benzene or benzene products in sealed intact containers.

(iii) Liquid mixtures containing 5.0 percent or less benzene by volume which were packaged before June 27, 1978.

(c) The employer shall assure that the caution labels remain affixed when the benzene or products containing benzene are sold, distributed or otherwise leave the employer's workplace.

(d) The caution labels required by subsection (11)(b) of this section shall be readily visible and legible. The labels shall bear the following legend:

**CAUTION
CONTAINS BENZENE
CANCER HAZARD**

(e) The employer shall assure that no statement which contradicts or detracts from the information required by subsections (11)(a) and (d) of this section appears on or near any required sign or label.

(12) Recordkeeping. (a) Exposure measurements. (i) The employer shall establish and maintain an accurate record of all measurements required by subsection (5) of this section.

(ii) This record shall include:

(A) The dates, number, duration, and results of each of the samples taken, including a description of the procedure used to determine representative employee exposures;

(B) A description of the sampling and analytical methods used;

(C) Type of respiratory protective devices worn, if any; and

(D) Name, social security number, and job classification of the employee monitored and all other employees whose exposure the measurement is intended to represent.

(iii) The employer shall maintain this record for at least 40 years or the duration of employment plus 20 years, whichever is longer.

(b) Medical surveillance. (i) The employer shall establish and maintain an accurate record for each employee subject to medical surveillance required by subsection (9) of this section.

(ii) This record shall include:

(A) The name, and social security number of the employee;

(B) A copy of the physicians' written opinions, including results of medical examinations and all tests, opinions and recommendations;

(C) The peripheral blood smear slides of the initial test, the most recent test, and any test demonstrating hematological abnormalities related to benzene exposure;

(D) Any employee medical complaints related to exposure to benzene;

(E) A copy of this standard and its appendices, except that the employer may keep one copy of the standard and its appendices for all employees provided that he references the standard and its appendices in the medical surveillance record of each employee;

(F) A copy of the information provided to the physician as required by subsections (9)(c)(ii) through (9)(c)(v) of this section; and

(G) A copy of the employee's medical and work history related to exposure to benzene or any other hematologic toxins.

(iii) The employer shall maintain this record for at least 40 years or for the duration of employment plus 20 years, whichever is longer.

(c) Availability. (i) The employer shall assure that all records required to be maintained by this section shall be made available upon request to the Director for examination and copying.

(ii) The employer shall assure that employee exposure measurement records as required by this section be made available for examination and copying to affected employees or their designated representatives.

(iii) The employer shall assure that former employees and the former employees' designated representatives have access to such records as will indicate the former employee's own exposure to benzene.

(iv) The employer shall assure that employee medical records required to be maintained by this section be made available upon request for examination and copying to the employee or former employee or to a physician or other individual designated by the affected employee or former employee.

(d) Transfer of records. (i) When the employer ceases to do business, the successor employer shall receive and retain all records required to be maintained by subsection (12) of this section for the prescribed period.

(ii) When the employer ceases to do business and there is no successor employer to receive and retain the records for the prescribed period, the employer shall transmit these records by mail to the Director.

(iii) At the expiration of the retention period for the records required to be maintained under subsection (12) of this section, the employer shall transmit these records by mail to the Director.

(13) Observation of Monitoring. (a) Employee observation. The employer shall provide affected employees, or their designated representatives, an opportunity to observe any measuring or monitoring of employee exposure to benzene conducted pursuant to subsection (5) of this section.

(b) Observation procedures. (i) When observation of the measuring or monitoring of employee exposure to benzene requires entry into areas where the use of protective clothing and equipment or respirators is required, the employer shall provide the observer with personal protective clothing and equipment or respirators required to be worn by employees working in the area, assure the use of such clothing and equipment or respirators, and require the observer to comply with all other applicable safety and health procedures.

(ii) Without interfering with the measurement, observers shall be entitled to:

(A) Receive an explanation of the measurement procedures;

(B) Observe all steps related to the measurement of airborne concentrations of benzene performed at the place of exposure; and

(C) Record the results obtained.

(14) Effective Date. This standard shall become effective 30 days after being filed with the Code Reviser unless otherwise stated within this standard.

*⁽¹⁾ Appendices printed in addition to this Section and information contained therein is not intended, by itself, to create any additional obligations not otherwise imposed or to detract from any existing obligations.

Reviser's Note: Errors of punctuation or spelling in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending Order 20, filed 10-10-77)

WAC 296-305-005 SCOPE AND APPLICATION. (1) The rules of this chapter shall apply with respect to any and all activities, operations and equipment of employers and employees involved in providing fire protection services which are subject to the provisions of the Washington Industrial Safety and Health Act of 1973 (Chapter 49.17 RCW)(~~(1)~~) : Provided, that any other provision of this chapter notwithstanding, those fire fighters that are not fully paid are excluded from the requirements of this chapter.

(2) The provisions of this chapter apply to all work places where fire fighters are employed, including the fire combat scene. Although enforcement of applicable standards will result from provable violations of these standards which occur at the fire combat scene, agents of the Department will not act in any manner that will reduce or interfere with the effectiveness of the emergency response of a fire fighting unit. Activities directly related to the combating of a fire will not be subjected to the immediate restraint provisions of RCW 49.17.130.

(3) The provisions of this chapter shall be supplemented by the provisions of the safety and health standards of the Department of Labor and Industries, Chapter 296-24 WAC and Chapter 296-62 WAC. In the event of conflict between any provisions of this chapter and any provision of either of the two chapters last cited, the provisions of this chapter shall apply. The requirements of this chapter should be reviewed by the appropriate labor-management committee at least every two years.

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WSR 78-09-093

ADOPTED RULES

DEPARTMENT OF GAME

[Order 120—Filed August 31, 1978]

Be it resolved by the Game Commission, state of Washington, acting at Tacoma, Washington, that it does promulgate and adopt the annexed rules relating to WAC 232-28-501, 1978-79 Trapping Seasons and Regulations.

This action is taken pursuant to Notice No. WSR 78-05-104 filed with the Code Reviser on May 3, 1978. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the Game Commission as authorized in RCW 77.12.040.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act

(chapter 42.30 RCW) or the Administrative Procedure Act (chapter 34.04 RCW) as appropriate, and the State Register Act (chapter 34.08 RCW).

This order, after being first recorded in the Order Register of this governing body, shall be forwarded to the Code Reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

APPROVED AND ADOPTED July 5, 1978.

By Ralph W. Larson
Director

NEW SECTION

WAC 232-28-501 1978-1979 TRAPPING SEASONS AND REGULATIONS.

Reviser's Note: The text and accompanying map comprising the 1978-1979 Trapping Seasons and Regulations adopted by the Department of Game have been omitted from publication in the Register under the authority of RCW 34.04.050(3) as being unduly cumbersome to publish. Copies of the rule may be obtained from the main office of the Department of Game, 600 North Capitol Way, Olympia, Washington 98504, and are available in pamphlet form from the Department, its six regional offices, and at numerous drug and sporting goods stores throughout the state.

REPEALER

The following section of the Washington Administrative Code is repealed:

(1) WAC 232-28-500 1977-78 TRAPPING SEASONS AND REGULATIONS.

**WSR 78-09-094
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)**
[Order 1334—Filed September 1, 1978]

I, David Hogan, Exec. Assist. of the Department of Social and Health Services do promulgate and adopt at Olympia, Washington, the annexed rules relating to advance notice—Expiration of adverse action, amending WAC 388-54-525.

I, David Hogan, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is these rules must be implemented on September 1, 1978 to comply with FNS instructions.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 74.04.510 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED September 1, 1978.
By David Hogan
Executive Assistant

AMENDATORY SECTION (Amending Order 992, filed 12/31/74)

WAC 388-54-525 ((CERTIFICATION—NOTICE OF ADVERSE ACTION)) ADVANCE NOTICE—EXPIRATION OR ADVERSE ACTION. (1) Effective 9-1-78, each household shall be provided with a written notice of expiration of certification, so that they may reapply without any delay in benefits.

(a) Households certified for one month or less shall be notified at the time of certification;

(b) All other households shall receive notice of expiration no earlier than 15 days prior to the start of the household's last month of certification, and no later than the start of the last month of certification.

(c) A household, certified for one month or less, shall have 15 days from the date the notice is received to submit a timely application for recertification. All other households shall have until the 15th of the last month of certification in order to timely apply. The certification of a household which does not submit a timely application without good cause shall expire at the end of the certification period.

(d) The written notice shall contain:

(i) the date the current certification period ends,
(ii) the date by which the household must submit a timely application,

(iii) the right to request an application and have the CSO accept an application so long as it is signed and contains a legible name and address,

(iv) the address of the office where the application must be filed,

(v) the consequences of the failure to comply with the notice,

(vi) the circumstances under which the CSO will assist the household in filing its application,

(vii) the household's right to a fair hearing if the CSO refuses to accept as good cause the household's reasons for failure to comply with the notice of expiration.

(e) The CSO shall approve or deny a timely application for subsequent certification and notify the household of its determination by the end of the current certification period.

(i) A household certified for one month or less must have the opportunity to purchase within 30 days from the date of the last certification.

(ii) All other eligible households shall have the opportunity to purchase in the first issuance cycle of the month following their application.

(f) Any application submitted, without good cause, after the date specified in the notice, shall be treated as an application for initial certification.

((1) Before taking any action to terminate or reduce a household's benefits within the certification period, the department shall

(a) Give the household at least ten days advance written notice of any such action;))

(2) A written notice of adverse action shall be given the household at least 10 days prior to any action taken

to terminate or reduce a household's benefits within the certification period.

(a) This notice shall include:

~~((t_b))) (i) ((Give in detail)) the reasons for the proposed action,~~

~~((t_c))) (ii) ((Explain)) explanation of the household's right to ((request)) a fair hearing, ((and))~~

~~((t_d))) (iii) the circumstances under which participation is continued if a hearing is requested, ((and))~~

~~((t_d))) (iv) ((Indicate)) Indication of the department's willingness to schedule a conference, if the household wishes to discuss the action.~~

~~((t₂))) (b) ((A notice of adverse action shall not be))~~

~~No notice will be required: ((for the expiration of a certification period when no change has been reported and))~~

(i) when the household has not reapplied((:)) for benefits,

(ii) ((Advance notice is not required)) when mass changes ((in program benefits are required because of changes)) in federal or state law occur,

(iii) when the local office receives notification of the death of a one-person household((;)) or

(iv) when the household has moved from the project area.

(c) Advance notice may be waived by the household if the head of household, spouse, or authorized representative:

(i) states in writing that food stamps are no longer desired, ((or))

(ii) supplies information that requires reductions or termination and acknowledges in writing that he knows the required action will be taken and that he waives his right to continuation if a fair hearing is requested.

Reviser's Note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

WSR 78-09-095
ADOPTED RULES
STATE BOARD OF EDUCATION
[Order 10-78—Filed September 1, 1978]

Be it resolved by the State Board of Education, that it does promulgate and adopt the annexed rules relating to General Certification Provisions, adopting new chapter 180-75 WAC.

This action is taken pursuant to Notice No. WSR 78-07-060 filed with the code reviser on 6/29/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to chapters 28A.70 and 28A.93 RCW and is intended to administratively implement that statute.

This rule is promulgated under the general rule-making authority of the State Board of Education as authorized in RCW 28A.04.120.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure

Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 25, 1978.

By Wm. Ray Broadhead
Secretary

Chapter 180-75 WAC

GENERAL CERTIFICATION PROVISIONS

WAC

180-75-005	Purpose.
180-75-015	Equivalency of standards.
180-75-020	Appeal—General.
180-75-025	Appeal procedure—Informal.
180-75-030	Appeal procedure—Formal process.
180-75-035	Certificate revocation.
180-75-040	Notification of revocation of certificates.
180-75-045	Certificate validity.
180-75-050	Certificate required.
180-75-055	Types of certificates.
180-75-060	Certificate replacement.
180-75-065	Fee for certification.
180-75-070	Use of fee for certification.
180-75-075	Educational experience acceptable for certification.
180-75-080	Citizenship requirements—Alien permits—Teachers only.
180-75-085	General requirements—Teachers, administrators, educational staff associates.
180-75-090	Permits.
180-75-100	Certification of out-of-state trained teachers—Interstate educational personnel contracts.

NEW SECTION

WAC 180-75-005 PURPOSE. The purpose of this chapter is to incorporate into one chapter the general certification provisions to ensure uniform application and interpretation of the various certification rules.

NEW SECTION

WAC 180-75-015 EQUIVALENCY OF STANDARDS. Reasonable flexibility in interpretation of the requirements contained in this chapter and in chapters 180-77, 180-78, and 180-79 WAC may be applied consistent with the intent and spirit of the requirements of the appropriate chapter. Exceptions to specific requirements will be considered. It shall be the responsibility of the superintendent of public instruction or his or her designee to make the final decision concerning approval of any exception.

NEW SECTION

WAC 180-75-020 APPEAL—GENERAL. Any person who applies for a certificate, particular certificate level or endorsement, certificate renewal, or certificate reinstatement whose application is denied may appeal

that decision if he or she follows the procedures established in WAC 180-75-025 through 180-75-030: PROVIDED, That the appeal procedure may not be used to seek reinstatement of a certificate if that certificate has been revoked by the superintendent of public instruction.

The appeal procedure consists of two levels, one informal and one formal. The use of the informal level is a condition precedent to use of the formal level.

NEW SECTION

WAC 180-75-025 APPEAL PROCEDURE—INFORMAL. Any person who desires to appeal the decision to deny his or her application must file a written notice with the superintendent of public instruction within twenty calendar days following the date of mailing from the section of the superintendent of public instruction's office responsible for certification of the decision to deny the application.

The written notice must set forth the reasons why the appellant believes his or her application should have been granted.

Following timely notice of appeal, the superintendent of public instruction or his or her designee shall appoint a review officer who will be someone other than the person or persons who reviewed the application initially.

The review officer shall then:

(1) Review the application and appeal notice and may request further written information including but not limited to an explanation from the person or persons who initially reviewed the application of the reason(s) why the application was denied.

(2) If he or she deems it advisable, schedule an informal meeting of the appellant, the person or persons who denied the application initially, and any other interested parties designated by the reviewing officer, to receive oral information concerning the application. Any such meeting must be held within thirty days of the date of receipt by the superintendent of public instruction of the timely-filed appeal notice.

(3) Place in the mail a written decision on the appeal within forty-five days from the date of receipt of the timely-filed appeal notice by the superintendent of public instruction. The reviewing officer may uphold, reverse, or modify the decision to deny the application.

NEW SECTION

WAC 180-75-030 APPEAL PROCEDURE—FORMAL PROCESS. (1) Any person who has filed an appeal in accordance with WAC 180-75-020 and desires to have the denial of his or her application reviewed further may do so if the reviewing officer has not reversed the decision to deny the application. To instigate review under this section, a person must file a written notice with the state board of education within twenty calendar days following the date of mailing of the review officer's decision.

(2) For purposes of hearing an appeal under this section, the state board of education shall designate hearing examiners, the superintendent of public instruction, acting on behalf of the state board of education, shall select a hearing examiner to hear a particular appeal.

The appeal shall be conducted pursuant to chapter 180-08 WAC and chapter 34.04 RCW.

NEW SECTION

WAC 180-75-035 CERTIFICATE REVOCATION. The state board of education considers it to be the professional obligation of each school district superintendent or nonpublic school administrator and each educational service district superintendent to file a written complaint with the superintendent of public instruction pursuant to RCW 28A.70.160 against any certificated employee who:

(1) Has committed or is guilty of (a) immorality, (b) a violation of written contract, (c) intemperance, (d) a crime against the law of the state, or (e) an act of unprofessional conduct that is of a nature which may justify the revocation of the individual's certificate to be employed in the schools; or

(2) Has been convicted of any crime involving the physical neglect of children, injury of children (excluding possible motor vehicle violations) or the sexual abuse of children.

Upon receipt of any such written complaint, that section within the office of the superintendent of public instruction having responsibility for certification shall investigate the complaint. If sufficient cause for revocation of the individual's certificate(s) is believed to exist, the section shall present the case before the superintendent of public instruction. The superintendent of public instruction may appoint a hearing examiner and/or legal counsel to assist the superintendent in hearing the case. The hearing shall be conducted pursuant to chapter 180-08 WAC and chapter 34.04 RCW.

The superintendent of public instruction or his or her designee shall withhold certification of an individual from another state whose certificate has been revoked in such state.

In accordance with RCW 28A.70.180 an individual may become eligible to receive a certificate after a period of one calendar year from the date of revocation. The superintendent of public instruction or his or her designee shall consider the application of an individual whose certificate has been revoked and, based upon application and such other information as deemed appropriate, determine whether a certificate shall be issued.

NEW SECTION

WAC 180-75-040 NOTIFICATION OF REVOCATION OF CERTIFICATES. The office of the superintendent of public instruction shall notify all other states that a certificate has been revoked and shall provide the full name and certificate number to the agency responsible for certification in each state.

NEW SECTION

WAC 180-75-045 CERTIFICATE VALIDITY. Any certificate issued pursuant to chapters 180-77 or 180-79 WAC shall entitle the holder thereof to be employed by a public or nonpublic school for the performance of duties encompassed by the certificate until such certificate expires or is revoked. A certificate which

is issued to an individual who does not meet all requirements set forth in this chapter is null and void.

NEW SECTION

WAC 180-75-050 CERTIFICATE REQUIRED. Persons serving as teachers, principals, educational staff associates, and in vocational positions as established by chapter 180-77 WAC shall hold certificates authorized by the state board of education for service in the respective roles.

NEW SECTION

WAC 180-75-055 TYPES OF CERTIFICATES. Four types of certificates shall be issued:

(1) Teacher. The teacher certificate authorizes service in the primary role of classroom teaching.

(2) Administrator.

(a) The administrator certificate endorsed "principal" authorizes services as a building administrator or vice principal.

(b) The administrator certificates endorsed "superintendent" or "program administrator" will be issued to persons who have completed state board of education approved preparation programs for service in the roles of district administrator, administrative staff, and program administrator.

(c) The superintendent and program administrator certificates are not required.

(3) Educational staff associate. The educational staff associate certificate authorizes service in roles of specialized assistance to the learner, the teacher, the administration and the educational program. Included as educational staff associates shall be communication disorders specialists, counselors, school nurses, occupational therapists, physical therapists, psychologists, social workers, and reading resource specialists.

(4) Vocational. The vocational certificate authorizes service in vocational instruction in accordance with the provisions of chapter 180-77 WAC.

NEW SECTION

WAC 180-75-060 CERTIFICATE REPLACEMENT. The superintendent of public instruction shall issue a replacement certificate to any person who files an application, pays the appropriate certification fee, and verifies by signature that the original certificate has been lost or destroyed or that a legal name change has occurred.

NEW SECTION

WAC 180-75-065 FEE FOR CERTIFICATION.

(1) In accordance with provisions of RCW 28A.70.110 and 28A.71.100, the fee for any certificate which is valid for more than one year, or for renewal or reinstatement of such certificate, issued by authority of the state of Washington and authorizing the holder to serve in the common schools of the state, shall be fifteen dollars: PROVIDED, That the fee for all vocational certificates shall be one dollar.

(2) The fee for any other certificate/credential, or for any renewal thereof, issued by the authority of the state of Washington and authorizing the holder to serve in the common schools of the state, shall be one dollar.

(3) Officials authorized to collect certification fees are educational service district superintendents, local school district superintendents, deans and directors of education at colleges and universities, and designees of program units. The fee must accompany the application for a certificate and shall be transmitted to the educational service district within which the application is filed for disposition in accordance with provisions of RCW 28A-70.110. The fee shall not be refunded unless the application is withdrawn before it is finally considered by the superintendent of public instruction or his or her designee. Moneys accrued from certification fees within the boundaries of an educational service district shall be divided in the following manner:

(a) Local school districts employing more than one hundred teachers and other professional staff and collecting certification fees may retain one dollar of each fee in order to hold a professional training institute. If such district does not hold an institute all such moneys shall be placed to the credit of the educational service district.

(b) No less than fifty percent of the funds accruing within the boundaries of an educational service district shall be used to support program activities related to state-wide precertification professional preparation and evaluation.

(c) The remaining funds shall be used to support professional inservice training programs and evaluations thereof.

NEW SECTION

WAC 180-75-070 USE OF FEE FOR CERTIFICATION. (1) Certification fees will be used solely for precertification professional preparation, professional inservice training programs, teachers' institutes and/or workshops, and evaluations thereof in accordance with this chapter.

(2) Precertification professional preparation:

(a) A subcommittee of the state professional education advisory committee as established in WAC 180-78-015 shall assist the superintendent of public instruction in administration of precertification program funds by annually establishing priorities and procedures for distribution of funds available for precertification activities. The primary utilization shall be to support collaborative efforts essential to program development, program evaluation and assessment of candidates' entry and exit competency.

(b) Funds set aside for precertification shall not supplant funds already available to any participating agency.

(c) A single educational service district shall be designated to administer the funds allocated for precertification programs. The designated educational service district shall be permitted to retain up to five percent of the precertification fees for costs related to administering these funds.

(d) Each quarter every educational service district shall forward the moneys designated for precertification programs to the educational service district designated to administer such programs.

(3) Professional inservice training programs and teachers' institutes and/or workshops:

(a) Each educational service district, or cooperative thereof as specified in subparagraph (d) of this subsection, shall establish an inservice committee composed of an educational service district representative; at least one district superintendent; one principal; one educational staff associate; one elementary, one junior high and one senior high teacher; and one representative selected by the chief administrative officer responsible for professional education from a college/university having a state board of education approved teacher education program. Teacher representatives shall be selected by agreement among the presidents of the local education associations within the respective educational service district or cooperative thereof.

(b) The educational service district representative shall serve as chairperson of the inservice committee and provide liaison with the superintendent of public instruction and the state board of education.

(c) The inservice committee will be responsible for coordinating inservice/staff development model programs within the educational service district and shall submit to the superintendent of public instruction and the state board of education a plan for soliciting and selecting model programs which shall include procedures for conducting needs assessments, determining priorities and carrying out program evaluation.

(d) Cooperative agreements may be made among educational service districts to provide quality inservice education programs.

(e) Funds designated for inservice programs shall not supplant funds already available for such programs.

(4) Allowable expenditures. Funds may be used to support costs related to training, such as the payment of professional contractual services, per diem, travel costs, materials, printing, or released time. Nonallowable costs, except when approved in advance by the superintendent of public instruction or his or her designee, are college/university tuition and fees and the rental or purchase of facilities or equipment.

(5) Annual reporting. The superintendent of public instruction shall prepare and present to the state board of education an annual report concerning the use of certification fees for precertification and inservice activities.

NEW SECTION

WAC 180-75-075 EDUCATIONAL EXPERIENCE ACCEPTABLE FOR CERTIFICATION. (1) Experience for maintaining and renewing certification. To satisfy experience requirements for maintaining and renewing a certificate, an individual must complete experience in an educational setting as defined in WAC 180-79-010 or as authorized for a vocational certificate in chapter 180-77 WAC.

(2) Any year during which an individual unsuccessfully completes a probationary period and has been discharged or nonrenewed in accordance with RCW

28A.67.065 and 28A.67.070 shall not be considered a year of experience for purposes of obtaining, maintaining or renewing a certificate.

NEW SECTION

WAC 180-75-080 CITIZENSHIP REQUIREMENTS—ALIEN PERMITS—TEACHERS ONLY. No person who is not a citizen of the United States of America shall be permitted to teach in the common schools of this state: PROVIDED, That the superintendent of public instruction may grant an alien a permit pursuant to WAC 180-79-235: PROVIDED FURTHER, That after a one-year probationary period the superintendent of public instruction, at the written request of the superintendent or his or her designee, or the school organization which employed such person on a permit, may grant to an alien who is otherwise qualified as determined by the superintendent of public instruction or his or her designee a certificate for which the applicant is otherwise qualified under this chapter.

NEW SECTION

WAC 180-75-085 GENERAL REQUIREMENTS—TEACHERS, ADMINISTRATORS, EDUCATIONAL STAFF ASSOCIATES. The following requirements are to be met by candidates for certification as teachers, administrators, or educational staff associates:

(1) Age. No person who is less than eighteen years of age shall receive a certificate to serve in the public or nonpublic schools of Washington state.

(2) Character. Applicants for certificates in Washington state must give evidence of good moral character, personal fitness, and no convictions for crimes involving the physical neglect of children, physical injury of children (excepting possible motor vehicle violations), or sexual abuse of children as verified by a signed affidavit: PROVIDED, That the superintendent of public instruction may issue an emergency certificate pursuant to WAC 180-79-230 to an applicant who is on parole or probation.

(3) Competency. A candidate for certification shall demonstrate knowledge and skill in the areas specified by the state board of education as minimum generic standards for the respective certificate type and level set forth in WAC 180-79-130 through 180-79-210.

(4) Academic. A candidate for certification shall have successfully completed an approved program or have qualified under WAC 180-75-100 and/or 180-79-245 through 180-79-250.

(5) Experience. All candidates for continuing level certification shall have completed three years of certified service in the respective role in an educational setting.

(6) Probationary status. A certificate shall not be issued to any candidate who is in a probationary status as defined in RCW 28A.67.065 as teacher, educational staff associate, or administrator at the time of application for a certificate.

(7) Program completion. A candidate for an initial or continuing certificate shall provide verification that he/she has completed an approved preparation program.

Subsections (3), (4) and (5) of this section shall not apply to vocational certificates. Vocational certificates are issued under academic and experience requirements set forth in chapter 180-77 WAC.

NEW SECTION

WAC 180-75-090 PERMITS. (1) Alien permits.

(a) Alien permits may be issued under this section to aliens who have declared their intent to become citizens of the United States of America, have filed an application for a permit, and who have completed all requirements for a certificate: PROVIDED, That the issuance of a permit does not in and of itself entitle the individual to be otherwise certificated.

(b) An alien permit is valid for a term equivalent to the period of validity of the certificate for which it is issued. Aliens seeking renewal of reinstatement of alien permits must comply with requirements specified in WAC 180-79-065: PROVIDED, That for vocational permits, aliens seeking renewal or reinstatement must comply with the requirements of chapter 180-77 WAC.

(2) Temporary alien permits. A temporary alien permit to serve as an exchange teacher and valid for one academic year may be issued to nonimmigrant aliens who have filed an application for a permit, have complied with conditions prescribed in RCW 28A.67.020, and have training and experience which at a minimum are equivalent to standards for the initial teaching certificate as set forth in this chapter.

(3) General permits.

(a) Permits may be issued under this section to those persons who have filed an application for a certificate; who have completed all requirements for provisional, initial, standard, or continuing certification; and who have accepted or are being considered for employment requiring a permit or certificate pursuant to RCW 28A.67.010.

(b) The issuance of a permit does not in and of itself entitle the individual to be otherwise certificated.

(c) An individual may apply for a permit directly to the superintendent of public instruction: PROVIDED, That in the case of an individual completing requirements for certification in a Washington state institution of higher education the request may also be made to that institution.

(d) A permit entitles the holder to serve as a teacher, educational staff associate or administrator consistent with the qualifications on his/her permit.

(e) A permit is valid for ninety consecutive calendar days commencing with the date following the date of issuance and is not renewable.

(4) Issuing authority. The superintendent of public instruction shall issue all permits and provide institutions of higher education with forms and instructions relevant to application for a permit.

NEW SECTION

WAC 180-75-100 CERTIFICATION OF OUT-OF-STATE TRAINED TEACHERS—INTERSTATE EDUCATIONAL PERSONNEL CONTRACTS. The superintendent of public instruction is authorized to enter into interstate educational personnel contracts with states party to the interstate agreement on qualifications of educational personnel in accordance with provisions of RCW 28A.93.010 and 28A.93.020 which authorize on an interstate basis Washington state certification of persons of other states having preparation and qualifications comparable even though not identical to Washington state board of education standards.

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WSR 78-09-096

ADOPTED RULES

STATE BOARD OF EDUCATION

[Order 12-78—Filed September 1, 1978]

Be it resolved by the State Board of Education, that it does promulgate and adopt the annexed rules relating to Professional preparation—Program development and approval, amending chapter 180-78 WAC. Equivalency of standards, repealing WAC 180-78-020.

This action is taken pursuant to Notice No. WSR 78-07-053 filed with the code reviser on 6/28/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to chapters 28A.70 and 28A.93 RCW and is intended to administratively implement that statute.

This rule is promulgated under the general rule-making authority of the State Board of Education as authorized in RCW 28A.04.120.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 25, 1978.

By Wm. Ray Broadhead
Secretary

AMENDATORY SECTION (Amending Order 5-78, filed 5/26/78)

WAC 180-78-010 DEFINITION OF TERMS. The following definitions shall be used in this chapter:

(1) "Accreditation" shall mean a process whereby a preparation program is reviewed and determined by an accrediting agency to meet prespecified standards. Programs may be accredited by states, regional accrediting associations, or national professional organizations such as the national council for accreditation of teacher education (NCATE) or the national association of state directors of teacher education and certification (NASDTEC). Such accreditation shall not replace state board of education program approval in Washington state.

(2) "Agency" shall mean those groups, entities, associations, and the like recognized in WAC 180-78-030 as having a legitimate interest in the development of preparation programs.

(3) "College or university" shall mean any baccalaureate degree granting Washington institution of higher learning or cooperative group of such institutions which has or develops professional programs of preparation in education which are submitted to the state board of education for approval.

(4) "Cooperation" shall mean the act of working together in a participatory mode.

(5) "Endorsement" shall mean a specification placed on a certificate to indicate the subject matter field, grade level and/or specialization for which the individual is prepared to teach or serve as an administrator or educational staff associate.

(6) "General professional organization" shall mean the professional organization determined in accordance with election procedures defined in RCW 41.59.070 or a cooperative group of such employee representative organizations.

(7) "Interstate compact" shall mean the contractual agreement among several states authorized by RCW 28A.93.010 and 28A.93.020 which facilitates interstate reciprocity and guarantees graduates of institutions having approved programs in such states regular beginning certification in any state party to the compact.

(8) "Minimum generic standards" shall mean those basic areas of knowledge and skill adopted by the state board of education as essential to a given professional role.

(9) "Program approval" shall mean the approval by the state board of education of a preparation program within Washington state.

(10) "Program development" shall mean the cooperative process employed to identify program outcomes and experiences essential to program approval.

(11) "Program outcomes" shall mean the explicit objectives of preparation programs stated in terms of knowledge, skill, and performance.

(12) "Program unit" shall mean a group of cooperating agencies in Washington state, the specific membership and form of which shall be established by the participating members. Any such unit must include at least one college/university, one school organization, and one general or specialized professional organization.

(13) "School organization" shall mean any public or nonpublic school system or district or cooperative group of such organizations.

(14) "Site visit" shall mean the process of an on-site review of preparation programs conducted pursuant to WAC 180-78-035 and ((180-78-050)) 180-78-040.

(15) "Specialized associations" shall mean the statewide professional organization(s) recognized by the state board of education as having legitimate interest in the preparation of a respective professional role.

NEW SECTION

WAC 180-78-060 PREPARATION OF SUPERINTENDENTS. In accordance with RCW 28B.10.140,

the only public institutions authorized to provide training for superintendents over and above that required for teachers' or principals' certificates shall be the University of Washington and Washington State University.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 180-78-020 EQUIVALENCY OF STANDARDS.

 WSR 78-09-097

ADOPTED RULES

STATE BOARD OF EDUCATION

[Order 13-78—Filed September 1, 1978]

Be it resolved by the State Board of Education, that it does promulgate and adopt the annexed rules relating to Professional preparation—Certification requirements, amending chapter 180-79 WAC, also repealing sections of chapter 180-79 WAC.

This action is taken pursuant to Notice No. WSR 78-07-058 filed with the code reviser on 6/29/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to chapters 28A.70 and 28A.93 RCW and is intended to administratively implement that statute.

This rule is promulgated under the general rule-making authority of the State Board of Education as authorized in RCW 28A.04.120.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 25, 1978.

By Wm. Ray Broadhead
Secretary

AMENDATORY SECTION (Amending Order 6-78, filed 5/26/78)

WAC 180-79-065 CERTIFICATE LAPSE, RENEWAL, AND REINSTATEMENT. (1) Initial certificate.

(a) The initial certificate may be renewed once for a three-year period on verification by an approved program that work has begun toward continuing level certification: PROVIDED, That no more than ten years has elapsed since the completion of an approved preparation program for initial certification.

(b) The initial certificate may be reinstated once for a three-year period if the individual completes at least fifteen quarter hours (ten semester hours) of course work in an approved preparation program and verification of minimum generic standards for initial certification. Course work taken more than three years prior to the

date of application for reinstatement shall not satisfy this requirement.

(2) Continuing certificate.

(a) The continuing certificate will lapse if the holder does not serve at least thirty school days in an educational setting ((for more than)) during one of seven consecutive school years.

(b) To reinstate a lapsed continuing certificate the individual must complete fifteen quarter hours (ten semester hours) of course work in a state board of education approved preparation program and demonstrate minimum generic standards required for continuing certification. Course work taken more than three calendar years prior to the date of application for reinstatement shall not satisfy this requirement.

AMENDATORY SECTION (Amending Order 6-78, filed 5/26/78)

WAC 180-79-100 PERSONNEL ASSIGNMENT. (1) Teachers. Local districts shall assign secondary teachers holding initial level certificates to recommended assignment areas and levels only. Teachers holding initial level elementary endorsement shall be assigned to elementary grades only. Teachers holding continuing level certificates should be assigned to recommended areas and levels or to areas and levels in which they have demonstrated competency during professional service: PROVIDED, That when it is considered justifiable the superintendent of public instruction may, if requested by the school district superintendent who will provide evidence of the need for such assignment, authorize initially certificated teachers to serve at different grade levels or in different subject matter fields from those recommended.

(2) Educational staff associates. Assignments to serve in educational staff associate roles shall be limited to persons holding valid educational staff associate certificates with appropriate endorsements.

(3) Administrators. Assignment of persons to serve as principals or vice principals shall be limited to persons holding valid administrator certificates with the appropriate endorsement(s).

AMENDATORY SECTION (Amending Order 6-78, filed 5/26/78)

WAC 180-79-115 ACADEMIC AND EXPERIENCE REQUIREMENTS FOR CERTIFICATION—TEACHERS. Candidates for teachers' certificates shall complete the following requirements in addition to those set forth in WAC 180-79-105 and 180-79-110.

(1) Initial.

(a) Candidates for the initial certificate shall hold a baccalaureate degree. Candidates for secondary certificates shall have completed the degree major in an academic field; candidates for elementary certificates shall have completed the degree major in an academic field or teaching specialization. If the degree major is elementary education, the candidate must have at least one area of emphasis in an academic field.

(b) Candidates shall give evidence that they have completed in-school, clinical, and laboratory experiences which include observations and at least eight weeks of practice teaching under supervision in a state board of education approved or accredited public or nonpublic K-12 classroom(s).

(2) Continuing.

(a) Candidates shall have completed at least forty-five quarter hours (thirty semester hours) of upper division and/or graduate work subsequent to the baccalaureate degree of which thirty quarter hours (twenty semester hours) must be taken after the first year of teaching.

(b) Candidates shall have completed at least three years of service as a teacher in a classroom teaching role in an educational setting, at least two years of which shall be in grades K-12.

AMENDATORY SECTION (Amending Order 6-78, filed 5/26/78)

WAC 180-79-125 ACADEMIC AND EXPERIENCE REQUIREMENTS FOR CERTIFICATION—EDUCATIONAL STAFF ASSOCIATE (ESA). Candidates for ESA certification shall complete the following requirements in addition to those set forth in WAC 180-79-110: PROVIDED, That it shall not be necessary for any candidate who holds a master's degree to obtain a second master's degree; however, the candidate shall complete all course work and experience requirements relevant to the specialization set forth in an approved preparation program for the appropriate ESA speciality.

(1) Communication disorders specialist.

(a) Initial.

(i) The candidate shall have completed all requirements for the master's degree (except special examinations, projects or thesis) with a major in speech pathology and/or audiology.

(ii) The candidate shall have completed practicum experiences in communication disorders which include observation as well as practice under supervision in K-12, clinical, and field/laboratory settings.

(b) Continuing. The candidate shall hold a master's degree with a major in speech pathology and/or audiology.

(2) Counselor.

(a) Initial.

(i) The candidate shall have completed all requirements for the master's degree (except special examinations, projects or thesis) with a major in counseling.

(ii) The candidate shall have completed a supervised practicum or internship in counseling in a K-12 school setting.

(b) Continuing. The candidate shall hold a master's degree with a major in counseling.

(3) Occupational therapist.

(a) Initial.

(i) The candidate shall have completed an approved or accredited baccalaureate degree program in occupational therapy and have status as an occupational therapist registered with the American occupational therapy association.

(ii) The candidate shall have completed field experience in an educational setting which includes observation as well as practice under supervision.

(iii) The candidate shall have successfully completed the American occupational therapy association certification examination.

(b) Continuing. The candidate shall have completed at least fifteen quarter hours (ten semester hours) of graduate work or continuing education in occupational therapy or education.

(4) Physical therapist.

(a) The candidate shall hold a baccalaureate degree in physical therapy from a college or university having an approved or accredited school of physical therapy or the candidate shall hold a baccalaureate degree and a certificate in physical therapy from an accredited school of physical therapy.

(i) The candidate shall hold a current Washington state license or a probational certificate to practice as a physical therapist.

(ii) The candidate shall have completed field experiences in an educational setting which includes observation as well as practice under supervision.

(b) Continuing. The candidate shall have completed at least fifteen quarter hours (ten semester hours) of graduate work or continuing education in physical therapy or education.

(5) School psychologist.

(a) Initial.

(i) The candidate shall have completed all requirements for the master's degree (except special examinations, projects or thesis) with a major or specialization in school psychology.

(ii) The candidate shall have completed a practicum or internship under supervision in an educational setting, K-12.

(b) Continuing. The candidate shall hold a master's degree with a major or specialization in school psychology.

(6) Reading resource specialist.

(a) Initial.

(i) The candidate shall hold a valid initial or continuing level teacher's certificate.

(ii) The candidate shall have completed all requirements for the master's degree (except special examinations, projects or thesis) with a major or specialization in reading.

(iii) The candidate shall have completed field experiences in an educational setting which includes observation as well as practice under supervision.

(b) Continuing. The candidate shall hold a master's degree with a major or specialization in reading.

(7) School nurse.

(a) Initial.

(i) The candidate shall hold a valid license as a registered nurse (RN) in Washington state.

(ii) The candidate shall hold a baccalaureate degree in nursing with an emphasis in school nursing or community health.

(iii) The candidate shall have completed field experiences in an educational setting, K-12, which includes observation as well as practice under supervision.

(b) Continuing. The candidate shall have completed at least forty-five quarter hours (thirty semester hours) of upper division or graduate work in education, community health, nursing or school nursing; thirty quarter hours (twenty semester hours) of which have been taken subsequent to the first year of service as a school nurse.

(8) Social worker.

(a) Initial.

(i) The candidate shall hold a master's degree in social work or shall demonstrate knowledge and skill equivalent to that required for the master's degree.

(ii) The candidate shall have completed at least one thousand two hundred hours of field experience in an educational setting, K-12, under the supervision of a certificated master of social work.

(b) Continuing. The candidate shall hold a master's degree in social work or an initial level certificate as a school social worker.

REPEALER

The following sections of the Washington Administrative Code are repealed:

(1) WAC 180-79-015 APPEAL—GENERAL.

(2) WAC 180-79-020 APPEAL PROCEDURE—INFORMAL.

(3) WAC 180-79-025 APPEAL PROCEDURES—FORMAL PROCESS.

(4) WAC 180-79-030 CERTIFICATE VALIDITY.

(5) WAC 180-79-040 EQUIVALENCY OF STANDARDS.

(6) WAC 180-79-050 CERTIFICATE REQUIRED.

(7) WAC 180-79-055 TYPES OF CERTIFICATES.

(8) WAC 180-79-070 EDUCATIONAL EXPERIENCE ACCEPTABLE FOR CERTIFICATION.

(9) WAC 180-79-085 REPLACEMENT OF CERTIFICATES.

(10) WAC 180-79-090 FEE FOR CERTIFICATION.

(11) WAC 180-79-095 USE OF FEE FOR CERTIFICATION.

(12) WAC 180-79-105 CITIZENSHIP REQUIREMENTS—ALIEN PERMITS—TEACHERS ONLY.

(13) WAC 180-79-110 GENERAL REQUIREMENTS—TEACHERS, ADMINISTRATORS, EDUCATIONAL STAFF ASSOCIATES.

(14) WAC 180-79-235 PERMITS.

(15) WAC 180-79-240 CERTIFICATION OF OUT-OF-STATE TRAINED TEACHERS—INTERSTATE EDUCATIONAL PERSONNEL CONTRACTS.

**WSR 78-09-098
ADOPTED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
[Order 1335—Filed September 1, 1978]**

I, David Hogan, Exec. Assist. of the Department of Social and Health Services do promulgate and adopt at Olympia, Washington, the annexed rules relating to:

- Amd ch. 388-15 WAC relating to social services for families, children and adults.
 Amd ch. 388-70 WAC relating to Child welfare services—Foster care—Adoption services—Services to unmarried parents.

This action is taken pursuant to Notice No. WSR 78-08-057 filed with the code reviser on 7/21/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the secretary of Department of Social and Health Services as authorized in RCW 74.08.090.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 30, 1978.

By David Hogan
Executive Assistant

AMENDATORY SECTION (Amending Order 1238, filed 8/31/77)

WAC 388-15-010 DEFINITION OF SERVICE GOALS. (1) The objectives of services for families, children and adults are to offer services to eligible individuals to help them achieve one or more of the following goals:

(a) Achieving or maintaining economic self support to prevent, reduce or eliminate dependency.

(b) Achieving or maintaining self sufficiency, including reduction or prevention of dependency.

(c) Preventing or remedying neglect, abuse or exploitation of children and adults unable to protect their own interests, providing crisis intervention to families in conflict and runaways or preserving, rehabilitating or reuniting families.

(d) Preventing or reducing inappropriate institutional care by providing for community-based care, home-based care, or other forms of less intensive care.

(e) Securing referral or admission for institutional care when other forms of care are not appropriate, or providing services to

(2) Only one goal shall be pursued at any one time in the provision of services; however several services may be given to achieve the selected goal.

AMENDATORY SECTION (Amending Order 1276, filed 3/2/78)

WAC 388-15-020 ELIGIBLE PERSONS. (1) Individuals eligible for services are:

(a) Recipients of aid to families with dependent children (AFDC recipients).

(b) Individuals whose needs were taken into account in determining the needs of AFDC recipients.

(c) Recipients of supplemental security income or state supplementary payments related to age, blindness or permanent and total disability.

(d) Recipients of federal aid medical care only categorically related to Title XVI supplemental security income or AFDC, provided gross family income does not exceed 80% of the state median gross income for a family of four, adjusted for family size.

(e) Any individual or family regardless of age, blindness or disability, whose gross family income does not exceed 80% of the state median income for a family of four, adjusted for family size, except that:

(i) No individual or family is eligible for chore services, family planning or alcoholism services whose gross family income is in excess of 50% of the state median income for a family of four, adjusted for family size, except that a single individual may receive chore services if his median gross income does not exceed 57% of the state's median gross income for a family of four adjusted for family size.

(ii) No individual or family is eligible on a group basis for developmental disabilities, case services, developmental disabilities home-aid resources, developmental disabilities developmental centers or extended sheltered employment unless at least 75% of persons given these services are members of families whose gross monthly income do not exceed 90% of the state median income, adjusted for family size.

(iii) Information and referral services, services to children in their own home or protective service may be given to any individual regardless of the level of gross family income. Child protective services are provided without charge. Where ancillary services such as chore services or homemaker services are an integral but subordinate part of a protective service plan for children or adults, they may be provided without regard to the level of gross family income.

(2) Gross median income for a family of four in the state of Washington is \$16,818. 80% = \$13,454.

(a) Income tables for 80% gross median income:

Number in Family	Monthly Income	Annual Income
1	583	6,996
2	762	9,148
3	942	11,301
4	1,121	13,454
5	1,300	15,605
6	1,480	17,759

(b) Income tables for 57% gross median income, one person family only.

	Monthly Income	Annual Income
((f))415.33((f)))		4,984

(c) Income table for 52% gross median income:

Family Size	Monthly Income	Annual Income
2	497	5,947
3	612	7,346
4	729	8,745
5	845	10,145
6	962	11,544

(d) Income tables for 50% gross median income:

Family Size	Monthly Income	Annual Income
1	364	4,372
2	477	5,718
3	589	7,063
4	701	8,409
5	813	9,754
6	925	11,099

(e) Income tables for 38% gross median income:

Family Size	Monthly Income	Annual Income
1	277	3,323
2	362	4,345
3	447	5,368
4	533	6,390
5	618	7,413
6	703	8,435

(f) See WAC ((388-28-100)) 388-29-100 for grant standards.

(3) Family means two or more persons related by blood, marriage or adoption, residing in the same household, and may include a dependent residing in a separate household for whom support is paid.

(a) Husband and wife are considered a two-person family.

(b) Related adults residing together, other than spouses, are each considered a separate family.

(c) An individual living alone or with unrelated persons only is considered a one-person family. An individual living alone or with unrelated persons may include in his/her application a dependent living in a separate household for whom support is paid.

(d) Children living with nonlegally responsible relatives, emancipated minors and children living under the care of unrelated persons are also considered one person families.

(4) Persons applying to provide day care or foster care facilities or a person or persons applying to adopt a child are resources to our primary client, the child. Financial eligibility for these individuals is not required.

(5) Child welfare services may also be provided under Title IV-B of the Social Security Act.

AMENDATORY SECTION (Amending Order 1238, filed 8/31/77)

WAC 388-15-130 CHILD PROTECTIVE SERVICES. (1) Child protective services are those services provided on behalf of children who are reported to be

abused, neglected or exploited or who are threatened with harm through abusive, neglectful or exploitative acts by those responsible for their health, safety and welfare. Services are given to prevent, correct, improve or remedy the situations of children who are found to be neglected, abused or exploited, including runaways.

(2) Services may also include counseling with the children and their families, or other responsible individuals, arranging for alternate living arrangements, including emergency foster care; day care; homemaker or chore service; health support services and mental health services. Services also may include referral to appropriate law enforcement agencies and petitions to courts ((for wardship)), as well as cooperation with out-of-state child protective service agencies.

(3) See WAC 388-16-515 through 388-16-545 for mandatory reporting and central registry for child abuse.

AMENDATORY SECTION (Amending Order 1238, filed 8/31/77)

WAC 388-15-570 SERVICES TO CHILDREN IN OWN HOME. ((f)) These social services are focused on helping children and families who reside in their own homes to solve their problems and avoid unnecessary separation of child from his family. Services will provide casework intervention and counseling with parents and children where the children (by their behavior) indicate that they are having problems with their parent-child relationships, serious health problems (physical and emotional), adjustment to society, including peer relationships. These services will be intensive short term, goal oriented services limited to 90 days. After the end of the 90 day period an assessment will be made to determine if services should be continued, case referred, transferred or terminated. Services will be offered those children now defined as status offenders, dependent-incorrigibles, and others seeking to make an adjustment within the home.)) (1) It is the purpose of this service to maintain the family unit and thereby avoid the necessity of out-of-home placement of children.

(2) Under this program services are provided to runaways and families in conflict. These populations are defined as follows:

(a) Runaways: The department provides crisis intervention services to actual runaways, and does not provide intervention services to threatened runaways – unless the threatened runaways meet the definition of families in conflict.

(b) Families in conflict: The department provides crisis intervention services to families who have reached a point where placement of the child outside the home has occurred or is expected to be necessary within thirty days.

(3) Services are provided as follows:

(a) Crisis intervention: This service is provided to runaways and families in conflict to alleviate personal and family situations which present a serious threat to the health and stability of the family and its members. This service is directed toward defusing immediate potential for violence, assessment of problems and exploration of options which could lead to problems resolution,

referral to appropriate resources including medical, legal, ongoing counseling, child protective services, and provision of short-term family counseling sessions for problems resolution.

(b) Follow-up services: These services are provided to children and their families after the children return from a stay in a diagnostic center, or following crisis intervention services. This service is authorized when it is apparent that out-of-home placement will occur within six months unless this maintenance service is provided.

(c) These services are not provided for habitual truants, expelled students and marital disputes not directly involving conflict between children and parents, for custody disputes, and for cases receiving similar services from other agencies.

((2)) (4) Goals for Services to Children in Own Home shall be limited to those specified in WAC 388-15-010(1)(b), (c), (d). Also see WAC 388-15-010(2).

AMENDATORY SECTION (Amending Order 965, filed 8/29/74)

WAC 388-70-010 FOSTER CARE—LEGAL BASIS. (1) The department is authorized by RCW 74-13.020 to provide ((child welfare services, including * * * adequate care of children away from their homes in family foster homes or day care * * *)) foster care.

(2) Foster care payments are vendor payments of public assistance funds. See WAC 388-22-030(72).

AMENDATORY SECTION (Amending Order 1123, filed 6/7/76)

WAC 388-70-012 FOSTER CARE—DEFINITIONS. (1) "Foster care" is a 24-hour per day substitute care for the child whose parents cannot or will not provide normal family care for him. Foster care may be provided in either a licensed foster family home or group care facility.

(2) "Foster care" includes

- (a) The determination of need for foster care,
- (b) Payment for the care of a child in an approved family foster home (see WAC 388-70-022(2)),
- (c) The purchase of care from an approved private child placement agency, group home, or maternity home,
- (d) The referral of child to a private child caring agency or institution, in order to meet the child's specific needs,
- (e) The determination of the needs of the child,
- (f) The placement of the child in the type of foster care facility which best meets its needs,
- (g) Medical services according to the rules of the department's medical program,

(h) Supervision of the foster care placement. This may be direct supervision through departmental casework services; or indirect supervision through evaluation of periodic reports as specified in WAC 388-70-235 from private child caring agencies, institutions or maternity homes with whom the department has contractual arrangements.

((3) "Department" means department of social and health services including any division, office, or unit thereof.

(4) An application for foster care means a written statement in a form specified by the department to (a) Establish the need for foster care, and (b) Request payment for the care provided.))

AMENDATORY SECTION (Amending Order 1186, filed 2/3/77)

WAC 388-70-013 AUTHORIZATION FOR FOSTER CARE PLACEMENT. ((1) Foster care may be provided to all children when:

(a) A child is held in care for up to 72 hours excluding Sundays and holidays under the authority of RCW 13.04.053 and RCW 74.13.031, at which time a petition must be filed with the juvenile court or the child returned to his parents.

(b) A child is held in care beyond 72 hours excluding Sundays and holidays if the ESSO or private child caring agency receives a court order which authorizes holding a child for up to 30 days.

(c) A child cannot be detained for longer than 30 days unless the judge signs another order authorizing continued care, or the conditions in subdivision (2)(b) are met.

(2) The department may also accept a child for foster care and/or supervise the care given when:

(a) The child is a ward of the court and is in the legal custody of the department or in the legal custody of a private child caring agency with which the department has a contract.

(i) The parent(s) of a child removed from them by court order have the right to express in writing the religious preference of the child and to consent to provision of medical care. (See WAC 388-70-017)

(b) When the child is not a ward of the court and the child's natural or adoptive parent(s) or legal guardian(s) has requested placement by the department or a private child caring agency with which the department has a contract, the consent to place must be in writing on forms specified by the department including permission to furnish medical care. The parent(s) or guardian(s) may also express the religious preference of the child. If the parent(s) or guardian(s) who requested placement wish to withdraw their consent, they may do so in writing to the ESSO or the private child caring agency placing the child.

(i) If the child's parents are living together, both must sign the consent to place.

(ii) If the child's parents are not living together but legal custody has not been decided, both must sign the consent to place. If, however, one parent cannot be located, the parent with physical custody may sign the consent to place.

(iii) If the child's parents are divorced, the parent with legal custody must sign the consent to place. If the parents have joint custody both must sign the consent to place.

(c) A child committed to a state children's institution is in need of foster care placement.)) A child may be placed in foster care only under the following circumstances:

(1) The child has been placed in temporary residential care after having been taken into limited custody pursuant to chapter 13.30 RCW, Runaway Youth Act. A child shall in no event remain in temporary residential care for more than seventy-two hours from the time of initial contact with the law enforcement officer, except as otherwise provided in this section.

(2) A petition, by child or parent(s) requesting alternative residential placement for the child, has been approved by the juvenile court pursuant to chapter 13.32 RCW, Juvenile Court Procedure For Families In Conflict.

(3) A child has been placed in shelter care as provided below:

(a) The child has been taken into custody, and placed in shelter care when there is probable cause to believe, pursuant to RCW 26.44.050, that the child is abused or neglected and the child would be injured or could not be taken into custody as provided in RCW 13.34.050.

(b) A petition has been filed with the juvenile court alleging the child is dependent; that the child's health, safety and welfare will be seriously endangered if not taken into custody and the juvenile court enters an order placing the child in shelter care. See RCW 13.34.050 and 13.34.060.

(c) No child shall be held longer than seventy-two hours, excluding Sundays and holidays, after such child is taken into custody, unless a court order has been entered for continued shelter care.

(d) No child shall be detained for longer than thirty days without a court order, authorizing continued shelter care.

(4) A juvenile court has determined a child is dependent and the court's order of disposition issued pursuant to RCW 13.34.130 removes the child from his or her home.

(5) A juvenile court has terminated the parent and child relationship pursuant to chapter 13.34 RCW, and placed the custody of the child with the department of a licensed child placing agency.

(6) The child and his or her parent(s) agree to the arrangement and/or continuation of alternative residential placement pursuant to RCW 74.13.031, as evidenced by a written consent to placement.

(7) When otherwise authorized by court order.

(8) The child's parent(s) or legal guardian(s) has requested, on forms prescribed by the department, the placement of the child by the department or a licensed child placement agency into foster care. Such requests shall comply with foster care placement criteria as developed by the department. (See WAC 388-70-016(5))

AMENDATORY SECTION (Amending Order 1260, filed 12/29/77)

WAC 388-70-022 PAYMENT OF FOSTER CARE. (1) Payment is made for foster care upon:

(a) Documentation of the need for the type and level foster care as determined by the department and

(b) Documentation of authority for the placement of a child in foster care as required by WAC 388-70-013 and

(c) Receipt of a request for payment of the care to be provided.

((d) EXCEPTION: Payment is made to foster parents for a youth in the probation subsidy program when that youth has not been adjudicated delinquent, is in need of a foster care placement and would lose the benefits of the subsidy program if the child's relationship with the probation officer were disrupted:))

(2) All persons and agencies to whom the department makes payment must be appropriately licensed and approved, or, if not subject to licensing, be certified or otherwise approved as meeting licensing or other appropriate requirements of the department.

(3) Payment is made for out-of-state foster care placements only after approval from the two state offices involved.

(4) In all instances, authorization of payment is the responsibility of financial services and the determination of the amount of parental support, except when stated in a superior court order, is the responsibility of the office of support enforcement.

AMENDATORY SECTION (Amending Order 1123, filed 6/7/76)

WAC 388-70-024 PAYMENT OF FOSTER CARE—EFFECTIVE DATE. (1) A foster care payment is effective the date a child is placed in care if an application for foster care payment is received within seven working days of placement. If an application is not received within seven working days of placement, the effective date of care is the date the application is received.

(2) The effective date of termination of foster care payments is the date the child no longer needs foster care or reaches the age of 18. If the child is attending but has not finished high school at the age of 18, payments shall be terminated on the date the high school program is completed. Such payments shall not be extended beyond age 21.

((3) Foster care payment terminated for a child who is a court ward and who returns to the same placement within 30 days of the date of termination may be reinstated by submitting a child in foster care change in status report, provided that

(a) No other change in circumstances has occurred, and

(b) A copy of the change in status report is forwarded to the department's office of support enforcement:))

AMENDATORY SECTION (Amending Order 1260, filed 12/29/77)

WAC 388-70-044 PAYMENT STANDARDS RECEIVING HOME CARE—STANDARDS FOR USING. (1) The purpose and/or use of receiving home is to allow the department or private agency to care for a child in a foster family home on a temporary, emergent or interim basis in order that there be sufficient time for the development of a plan which includes the involvement of the child whenever possible.

(2) The two types of placements in receiving homes are emergency and regular. Placements under the conditions described in WAC 388-70-047 are classified as "emergency". All others are classified as "regular".

(3) Receiving homes supported by the department shall be limited to the number the ESSO administrator determines necessary in his geographical area. The criteria to be followed are:

(a) Each department or private agency shall document its need for a receiving home and present the request in writing, giving the specifics, to the ESSO administrator or to the regional administrator when more than one ESSO administrator is involved.

(b) All receiving homes shall be licensed as foster family homes.

(c) Receiving homes are developed to provide care up to 30 days.

(d) The need for receiving home(s) must carry a direct relationship to the department's or private agency's type of program and service responsibilities.

(e) The intent of the service is to allow the department or private agency to develop and carry out a suitable plan for the child.

((f)) A child placed in a receiving home shall be in the custody of the department or private agency or there is written parental consent. In cases of self-referral, parental consent or approval of court is necessary before the child shall be accepted for care.

(g) A child placed "in lieu of detention" shall be returned to his parents within three days. If the child is to remain in receiving home care longer than 72 hours, a petition must be filed in juvenile court.)

(4) Every six months the ESSO administrator shall receive a written report on each receiving home, substantiating its continued use and need.

(5) Foster family homes which regularly provide care for children on a temporary, emergent, or interim basis and are available for placement twenty-four hours per day shall be designated as receiving homes. These homes shall be paid \$25 per month for each bed which is kept available for the emergency placement of children. In addition, the daily rate for receiving home care shall be eight dollars and ((twenty-two)) sixty-seven cents per day per child. Other foster homes which occasionally provide temporary, emergent, or interim care shall not be designated as receiving homes nor receive the retainer fee, but shall be reimbursed for such care at the receiving home rate of eight dollars and ((twenty-two)) sixty-seven cents per day per child.

(6) Temporary or emergency care for a child shall not exceed thirty days. After thirty days, the rate for children who remain in care in a receiving home shall be that for regular full time foster care except as authorized by the regional administrator. Clothing and personal incidentals are purchased for the child in receiving home care as needed.

(7) Private group care facilities may, at the discretion of the ESSO administrator, be utilized to provide interim care for children and youths requiring care in a group setting. Group care facilities shall generally be paid for providing interim care at their established daily rate.

AMENDATORY SECTION (Amending Order 1052, filed 9/10/75)

WAC 388-70-047 EMERGENCY FOSTER CARE ASSISTANCE. (1) Emergency foster care assistance is available to any child who:

- (a) Is under the age of 18,
- (b) Has lived with a relative or relatives as specified in WAC 388-24-125 within six months prior to the need for emergency foster care assistance,
- (c) Is without resources immediately available to meet his needs, and
- (d) Is not in need of foster care because he or his relative refused employment or training without good cause.

(2) ((Emergency foster care assistance may be provided through the use of:

- (a) Receiving homes;
- (b) Regular foster homes, or
- (c) Any licensed child care facility.

(3) Placements under the conditions described below are classified as emergency foster care, provided the eligibility criteria outlined in subsection (1) is met.

(a) A runaway child is placed in temporary foster care, while plans are worked out for return to his own home or for other more permanent arrangements.

(b) A child picked up on the street by the police is placed in foster care in lieu of detention.

(c) A child needs immediate placement because of family crisis, such as illness, death or other emergency which requires the natural parent or foster mother to be away from the family.

(d) A child, detained on a holding order by juvenile court, is placed in foster care until a decision is made to return the child to his own home or some appropriate facility.

(4))) Emergency foster care assistance is limited to a maximum of 30 consecutive days in any 12 month period.

AMENDATORY SECTION (Amending Order 1149, filed 8/26/76)

WAC 388-70-048 PAYMENT STANDARDS—SPECIALIZED FOSTER FAMILY CARE—CHILD WITH SPECIAL NEEDS. ((1)) In addition to the basic rates of payment for full-time regular foster care in WAC 388-70-042 for board, clothing and personal incidentals, an amount not to exceed the amounts in subsection (2) may be paid monthly for the care of children with special needs. These rates are effective July 1, 1976.

(2) Classification and description	Amount to be Added to Regular Rate
(a) The grossly retarded and/or severely handicapped child. The need for this classification shall be documented in the case record and be based upon a thorough	Up to \$98.00

evaluation by a competent professional person, such as a physician or qualified psychologist. Children in this group may show very slow and limited improvement. The child shall be provided with specialized care and training specific to his needs.

- (b) The emotionally disturbed child. The need for this classification shall be documented in the child's case record. Examples of this type are the emotionally deprived younger child who shows excessive need for love, withdrawal, refusal to eat or excessive crying or the disturbed child of any age in an out-patient setting, or the hyperactive or an acting out child whose emotional problems become converted into destructive or marked antisocial behavior.
- (c) The disturbed adolescent with a serious behavior problem and who is in a specialized foster family home caring for one to four adolescent foster children. The foster parents must understand and respect the child's need for less intensive relationships with adults.)

In addition to the basic rate for regular foster family home care specified in this chapter, an additional amount may be paid for the specialized care of a child with special needs as determined by the department. The additional amounts are:

- (1) Children with behavior problems \$107.00 per month
- (2) Intellectual/physically handicapped children \$107.00 per month
- (3) Emotionally handicapped children \$70.00 per month

AMENDATORY SECTION (Amending Order 924, filed 4/15/74)

WAC 388-70-051 EDUCATION RELATED FOSTER CARE. (1) Licensed foster care will be provided for a handicapped child away from his home when requested by a school district and in concurrence with the wishes of the parents.

(2) Payment will be made by the school district when the only need for foster care arises from the need for an education. The department may pay the cost of foster care if the primary reason for placement in foster care is ((one cited in WAC 388-70-014)) not educational.

AMENDATORY SECTION (Amending Order 1123, filed 6/7/76)

WAC 388-70-056 TRANSPORTATION AND OTHER EXPENSES—REIMBURSEMENT. (1) When prearranged with the department, foster parents shall be allowed transportation for medically related trips involving a foster child in their home. The department, within available funds, will provide reimbursement at the same rate authorized for employees. In addition, actual costs of food and lodging if necessary in securing the medical care will be reimbursed.

(2) Runaway dependents from other states:

(a) Planning and payment for return of a child who is ((a ward of the court)) subject to court order in another state and located in this state is the responsibility of the home state.

(i) If the home state refuses to pay for return transportation, the cost may be paid according to provisions of WAC 388-24-270 if the child meets the criteria in WAC 388-24-255.

(3) When a child who is ((a ward of the court)) subject to court order and in the custody of the department or a private agency ((other than a group home or institution)) runs away and is subsequently located, responsibility for planning remains with the department or private agency. If there are no financial resources to provide return transportation, the ESSO administrator may approve transportation costs.

(4) Costs for transporting children in foster care from one placement to another within the state may be approved by the ESSO administrator.

(5) Transportation costs for placement of a child to an out-of-state location can be authorized by the ESSO, contingent on the approval of both state offices involved. (See also WAC 388-70-022(3)). If the placement fails and Washington has retained jurisdiction of the child, transportation cost can be authorized by the ESSO contingent on approval of both state offices.

(6) When a Washington resident who is also a dependent minor is held by a juvenile court in another state as a runaway and the court requests transportation expenses from the ESSO and the parents state they cannot pay

(a) An immediate request to the CWS supervisor with jurisdiction in that court area for return of the child under emergency family assistance should be made.

(b) In the event the other state's CWS section refuses to take action, the parent's ability to pay the cost is determined by applying the department's standards in WAC 388-11-190. If parents are unable to pay an exception to policy request may be submitted per chapter 388-20 WAC.

AMENDATORY SECTION (Amending Order 913, filed 3/1/74)

WAC 388-70-066 FOSTER CARE OUT-OF-STATE—AUTHORIZATION—PAYMENT. (1) With the consent of the state office foster parents may be permitted to remove from the state a child who is in a permanent foster home. If the child is ((a ward of the court)) subject to court order, permission from the court must also be obtained. When the foster family moves to another state, arrangements with another social agency for supervision of the foster home placement are required. Such arrangements for supervision are not required when the family leaves the state during a vacation. Payments are continued at the department's current rates.

(2) When a child who is legally a resident of the state of Washington is placed in foster care in another state by the welfare department of that state, foster care payments are made at the rate requested by the state providing it does not exceed the department's current rates if it is the best plan for the child to remain there.

(3) State office approval of out-of-state placement is required before payment is made.

AMENDATORY SECTION (Amending Order 965, filed 18/29/74)

WAC 388-70-160 GUARDIANSHIP OF ESTATE OF CHILD. (1) The department accepts guardianship of the estate of a child when:

(a) The child has been separated from his family and the person who would normally act as his guardian is unable to do so,

(b) The child ((is a ward of the juvenile court)) subject to court order and custody or supervision is placed with the local office,

(c) The estate is insufficient to maintain the child during his minority,

(d) The estate is in the form of cash or negotiable bonds.

(2) The secretary of the department acts as payee of RSI benefits on behalf of the child. When the secretary or his designee signs a certificate of guardianship, the department agrees with the bureau of RSI:

(a) To apply all benefits received for the child to his use and benefit

(b) That the child's insurance benefit will not be claimed:

(i) For any period in which the earnings of the child or individual, upon whose earnings the child's benefit is based, are in excess of the legal limitations established by the social security act, or

(ii) If the child dies, or

(iii) If the child is adopted by a person other than the child's stepparent, grandparent, uncle, or aunt, or

- (iv) If the child marries, or
- (v) After the child attains age 18.

(c) To notify the Bureau of RSI promptly when any of the above events occur.

(3) The local office acting as agent of the secretary shall give the same supervision and services as those available to other children under its care.

NEW SECTION

WAC 388-70-700 JUVENILE RECORDS. (1) Except as otherwise provided by law the department shall comply with the requirements of RCW 13.04.270 through 13.04.276 regarding the confidentiality, sealing, accuracy, release to public, inquiry and challenge, transfer and destruction of juvenile custody and child care records.

(2) A juvenile, his or her parents or attorney, may upon written request, inquire to the department as to the existence and content of custody or care records. The inquiry shall provide the name of the juvenile, the approximate date the juvenile was in contact with the department, the nature of the contact, the location of the contact, and the purpose of the request.

(3) The department will make written response to the inquiry within twenty-one calendar days after receipt. The department will give priority to, and expedite processing, inquiries which involve litigation. The department shall provide to the juvenile, his or her parents or attorney making the inquiry, information regarding the location, nature and content of any records in the department's possession. A juvenile, his or her parents or attorney, who wishes to challenge the information contained in the department records shall notify the department in writing. The notification shall provide:

(a) The name of the juvenile;

(b) If the records are alleged to be inaccurate; a statement of those portions alleged to be inaccurate; and

(c) If the contained possession of the record is being challenged, a statement as to the reason why the record should be destroyed.

(4) The department will review the notification of challenge to the record and make a written response within thirty calendar days. The response shall indicate the corrections which have been or will be made and indicate the basis for denial of any requested corrections. If appropriate, the department's response will also include a statement indicating whether the records have been destroyed or transferred to another juvenile justice or child care agency.

(5) The juvenile, his or her parents or attorney, will be notified that if they dispute the department's response they may seek an administrative review of the department's decision as provided in chapter 34.04 RCW.

REPEALER

The following sections of the Washington Administrative Code are repealed:

(1) **WAC 388-70-014 ELIGIBILITY FOR FOSTER CARE—NEED.**

(2) **WAC 388-70-016 PLACEMENT OF CHILD IN FOSTER CARE.**

- (3) WAC 388-70-017 RIGHTS OF NATURAL PARENTS OF CHILD.
- (4) WAC 388-70-019 RESPONSIBILITY OF FOSTER PARENTS.
- (5) WAC 388-70-049 PAYMENT STANDARDS—FOSTER CARE IN BOARDING SCHOOL.
- (6) WAC 388-70-110 SERVICES TO UNMARRIED PARENTS.
- (7) WAC 388-70-111 SERVICES TO UNMARRIED PARENTS—DURATION OF SERVICE.
- (8) WAC 388-70-112 SERVICES TO UNMARRIED PARENTS—PERSONS ELIGIBLE.
- (9) WAC 388-70-114 SERVICES TO UNMARRIED PARENTS—PAYMENT.
- (10) WAC 388-70-116 SERVICES TO UNMARRIED PARENTS—PARENTS' RESPONSIBILITIES.
- (11) WAC 388-70-118 SERVICES TO UNMARRIED PARENTS—SERVICES AVAILABLE.
- (12) WAC 388-70-201 DSHS—PRIVATE CHILD CARING AGENCY RELATIONSHIPS—LEGAL BASIS.
- (13) WAC 388-70-211 DSHS—PRIVATE CHILD CARING AGENCY RELATIONSHIPS—GENERAL TERMS.
- (14) WAC 388-70-221 RESPONSIBILITIES OF PRIVATE CHILD CARING AGENCIES AND DSHS FOR PLACEMENT AND CARE.
- (15) WAC 388-70-230 CHILD CARE AGENCY, INSTITUTION, OR MATERNITY HOME—SETTING RATES OF PAYMENT.
- (16) WAC 388-70-235 REQUIRED REPORTS—CONTENT—PENALTY FOR LATE REPORTING.
- (17) WAC 388-70-240 COMPUTATION OF PER CAPITA EXPENDITURES.
- (18) WAC 388-70-245 NONPROFIT INSTITUTION AND MATERNITY HOME—RATE SETTING—EXCLUSIONS.
- (19) WAC 388-70-250 NONPROFIT AGENCY—COMMERCIAL OPERATIONS.
- (20) WAC 388-70-255 VOLUNTARY AGENCY LICENSED FOSTER FAMILY CARE—RATE SETTING.
- (21) WAC 388-70-260 NEW AGENCY—RATE NEGOTIATED.
- (22) WAC 388-70-270 PROPRIETARY AGENCY—RATE SETTING.
- (23) WAC 388-70-275 NONSUBMISSION OF REPORTS—LATE REPORTING—PENALTIES.
- (24) WAC 388-70-280 VOUCHERING PAYMENT.
- (25) WAC 388-70-320 USE OF RESOURCES OTHER THAN STATE DEPARTMENT OF PUBLIC ASSISTANCE MEDICAL PROGRAM.

WSR 78-09-099
NOTICE OF PUBLIC MEETINGS
ADVISORY COUNCIL
ON VOCATIONAL EDUCATION
[Memorandum—August 31, 1978]

The Washington State Advisory Council on Vocational Education will hold their regular meeting on Friday, September 22, 1978, beginning at 10:00 a.m. The Council meeting will be held at the Seattle Airport Hilton in the Rainier Room.

WSR 78-09-100
NOTICE OF PUBLIC MEETINGS
STATE HOSPITAL COMMISSION
[Memorandum—September 7, 1978]

FUTURE MEETINGS:

September 28, 1978	Seattle, University Tower Hotel
October 12, 1978	Seattle, University Tower Hotel
November 2, 1978	Seattle, University Tower Hotel

WSR 78-09-101
EXECUTIVE ORDER
OFFICE OF THE GOVERNOR
[EO 78-7]

WHEREAS, by Executive Order 71-02, dated October 20, 1971, the Honorable Daniel J. Evans, Governor of the State of Washington, created the Washington State Women's Council; and

WHEREAS, although the Council, during its several years of existence shows a record of accomplishment as a governmental advocate for women's rights and has gained substantial legislative support as witnessed by action of the 1977 Legislature in providing monetary support and the statutory formation of a Women's Commission; and

WHEREAS, in spite of the record of achievement of the Council and legislative action, Referendum 40 was placed on the November 8, 1977 ballot by petition of the people seeking to negate the creation of a Women's Commission by statute; and

WHEREAS, the vote of the people in the general election of November 8, 1977 was overwhelmingly against the creation of a statutory Women's Commission, thus strongly suggesting that the Women's Council be discontinued; and

WHEREAS, I held a number of meetings with the proponents and opponents of Referendum 40 and with other interested parties; requested and obtained reports from various sources and concluded that the matter of women's rights, per se, can continue to be served by other existing state agencies and by continued efforts at the local level and within the private sector.

NOW, THEREFORE, I, Dixy Lee Ray, Governor of the State of Washington, do hereby rescind and revoke

Executive Order 71-02, dated October 20, 1971, effective midnight August 31, 1978 and further direct that the physical properties and all appropriated funds remaining in the hands of the Washington State Women's Council be reverted to the proper authority.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the State of Washington to be affixed at Olympia this 31 day of August, A.D., 1978.

DIXY LEE RAY

Governor of Washington

BY THE GOVERNOR:

Carmela M. Bowns

Asst. Secretary of State

**WSR 78-09-102
PROPOSED RULES
DEPARTMENT OF AGRICULTURE**
[Filed September 5, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and chapters 15.58 and 17.21 RCW, that the Department of Agriculture intends to adopt, amend, or repeal rules concerning regulations relating to the use of herbicides in Spokane County, WAC 16-230-400, 16-230-410, 16-230-420, 16-230-430, 16-230-440, 16-230-450, 16-230-460, 16-230-470 and 16-230-480;

that such agency will at 7:00 p.m., Wednesday, November 15, 1978, in the Spokane County Agricultural Service Center Auditorium, Rooms B and C, North 222 Havana, Spokane, WA, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 4:00 p.m., Friday, December 1, 1978, in the Director's office, Department of Agriculture, Olympia, WA.

The authority under which these rules are proposed is chapters 15.58 and 17.21 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to November 15, 1978, and/or orally at 7:00 p.m., Wednesday, November 15, 1978, Spokane County Agricultural Service Center Auditorium, Rooms B and C, North 222 Havana, Spokane, WA.

Dated: September 5, 1978
By: Bob J. Mickelson
Director

NEW SECTION

WAC 16-230-400 AREA UNDER ORDER. (See Eastern Washington Order 1508 for additional regulations) (1) All lands lying within the borders of Spokane County.

NEW SECTION

WAC 16-230-410 RESTRICTED USE HERBICIDES. (1) All formulations of Dicamba (Banvel) and all formulations or phenoxy hormone-type herbicides including 2,4-D, 2,4,5-T and MCPA are declared to be restricted use herbicides.

NEW SECTION

WAC 16-230-420 AREA 3. (1) An area contiguous with a portion of the southern city limits of Spokane which includes sections 9, 10, 11 and that portion of Section 8 lying east of the Hatch Road, T24N, R43E and those incorporated cities and towns and areas within a distance of one mile of the city limits of incorporated cities or towns and the same distance from the center of any unincorporated town comprised of ten or more inhabited, closely grouped residences within Area 4 and Cheney and Medical Lake in Area 4. Extend Area 3 west and south to include Medical Lake and Cheney.

(a) On and after May 1 through October 31, ground applications of restricted use herbicides shall be made with nozzles having a minimum orifice diameter of 0.036 inches.

(b) The use and application of low volatile formulations of restricted use herbicides shall be prohibited on and after May 1 through October 31 of each year.

(c) The aerial application of restricted use herbicides is prohibited within Area 3: PROVIDED, that aerial applications of nonvolatile formulations of restricted use herbicides from 1/2 to 1 mile of the city limits of incorporated cities or towns and the same distance from the center of any unincorporated town comprised of ten or more inhabited, closely grouped residences shall be considered through written request to the state department of agriculture. On and after May 1 through October 31, aerial applications shall be made using the Warning Area Restrictions (see Order 1508, Regulation 11).

Reviser's Note: Errors of punctuation or spelling in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

NEW SECTION

WAC 16-230-430 AREA 4. (1) All remaining lands in Spokane County.

(a) On and after May 1 through October 31, ground applications of restricted use herbicides shall be made with nozzles having a minimum orifice diameter of 0.031 inches.

(b) On and after May 1 through October 31, aircraft applications of restricted use herbicides shall be made using the Caution Area Restrictions (see Order 1508, Regulation 11).

NEW SECTION

WAC 16-230-440 FARM OPERATOR TO NOTIFY (1) The landowner or person in charge of the farming operations shall notify the aerial applicator he hires of any susceptible crops planted or to be planted bordering the field to which restricted use herbicides are to be applied.

NEW SECTION

WAC 16-230-450 COMMERCIAL GREENHOUSE NOTIFICATION. (1) The owners of commercial greenhouses located in the area under order shall be notified by aerial applicators and public operators in person or by certified mail at least 48 hours prior to the application of allowable restricted use herbicides to be applied within one-half mile of the above greenhouses.

NEW SECTION

WAC 16-230-460 WIND CONDITIONS. (1) The use or application of restricted use herbicides shall be prohibited when the mean sustained wind velocity is over 12 miles per hour throughout the year.

NEW SECTION

WAC 16-230-470 STATEWIDE RESTRICTIONS. (1) The distribution, use and application of restricted use herbicides in counties east of the crest of the Cascade Mountains shall comply with the restrictions in Order 1508 and 1538, WAC 16-228-165 (1) (o) and WAC 16-228-175.

NEW SECTION

WAC 16-230-480 EVENING CUTOFF. (1) On and after May 1 through October 31 of each year, the application of restricted use herbicides shall be prohibited daily from three hours prior to sunset to sunrise the following morning.

**WSR 78-09-103
PROPOSED RULES
DEPARTMENT OF LICENSING**
[Filed September 5, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Licensing intends to adopt, amend, or repeal rules concerning repeal of issuance by the Department of Licensing of the game fish buyers permit, adoption of issuance of temporary licenses by the Liquor Control Board of E and F licenses within the scope of chapter 308-300 WAC;

that such agency will at 10:00, Wednesday, October 11, 1978, in the Fourth Floor Conference Room 4A, Highways-Licenses Building, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 10:00, Wednesday, October 11, 1978, in the Fourth Floor Conference Room 4A, Highways-Licenses Building.

The authority under which these rules are proposed is RCW 19.02.030(6).

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to Wednesday, October 11, 1978, and/or orally at 10:00, Wednesday, October 11, 1978, Fourth Floor Conference Room 4A, Highways-Licenses Building.

Dated: September 5, 1978
By: Kenneth C. Burton
Hearing Officer

AMENDATORY SECTION (Amending Order 476 DOL filed December 30, 1977)

WAC 308-300-030 LICENSES WHICH ARE INCLUDED ON THE MASTER LICENSE. The following registrations, licenses and permits as required for those businesses in WAC 308-300-040 shall be included within this chapter:

Registration	Dept. of Revenue
Corporate License (renewal only)	Secretary of State
Corporate Annual Report	Secretary of State
*Registration for Industrial Insurance	Dept. of Labor & Industries
Registration for Unemployment Insurance	Dept. of Employment Security
Permit to Employ Minors	Dept. of Labor & Industries
Cigarette Dealer License	Dept. of Revenue
Cigarette Dealer Vending Machine License	Dept. of Revenue
Nursery License	Dept. of Agriculture
Egg Dealer License	Dept. of Agriculture
Seed Dealer License	Dept. of Agriculture
Bakery & Bakery Distributor's License	Dept. of Agriculture
Pesticide Dealer License	Dept. of Agriculture
Refrigerated Locker License	Dept. of Agriculture
**Class E Beer License	Liquor Control Board
**Class F Wine License	Liquor Control Board
((Game Fish Buyers Permit))	Dept. of Game
Furniture and Bedding Certificate	Dept. of Social and Health Services
Shopkeepers License	Board of Pharmacy

*If risk classification of industrial insurance other than those required of businesses within SIC group 54 is involved, the applicant must apply directly to the Department of Labor & Industries.

**If A, B, C, or D classes of liquor licenses are required in combination with Class E and/or F licenses, the E and F license(s) shall not be available under this program and the applicant must apply directly to the Liquor Control Board.

Reviser's Note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION (Amending Order 476 DOL filed December 30, 1977)

WAC 308-300-060 PARTICIPATION. No agency will issue licenses directly to any business within the scope of WAC 308-300-040. It shall be the responsibility of each agency to direct any persons covered by this program to the Business License Center and to the provisions for licensing herein which must be followed to lawfully engage in the business covered by this chapter. Provided however that following coordination with the Business License Center, the Liquor Control Board may issue temporary permits to operate pending the mailing by the Business License Center of the master license.

AMENDATORY SECTION (Amending Order 476 DOL filed December 30, 1977)

WAC 308-300-110 ISSUANCE OF MASTER LICENSE. (1) Upon compliance with WAC 308-300-160 on payment of fees, the Department will issue and mail the applicant a master license incorporating all individual licenses approved at that time. Initial coverage under this chapter will be acknowledged by issuance of a master license with individual stickers affixed for each individual license issued.

An applicant may request that no master license be issued pending approval of liquor licenses and other licenses within subsection (4) in which event the Department will withhold processing of all licenses until determination of liquor licenses has been made.

(2) In those instances where a license is granted by an agency upon receipt of the application and fee payment, the Department, upon approval of the appropriate agency, shall issue the license upon proper receipt of those items. This subsection applies to:

(a) Department of Revenue; registration, cigarette dealer license, cigarette dealer vending machine license.

(b) Secretary of State, corporate license (renewal only), corporate annual report.

(c) Department of Labor and Industries; registration for industrial insurance.

(d) Department of Employment Security; registration for unemployment insurance.

(e) Department of Agriculture; nursery license, egg dealer license, seed dealer license.

((f)) Department of Game; game fish buyers permit.)

((g))) (f) Department of Social and Health Services; furniture and bedding certificate.

((h))) (g) Board of Pharmacy; shopkeepers license.

(3) For each of the supplemental licenses specified below, each agency shall, within 21 days of its notification of license application by the Department, inform the Department of its approval or denial of the licenses sought. This subsection applies to:

(a) Department of Agriculture; refrigerated locker license, pesticide dealer license, bakery and bakery distributors license.

(b) Department of Labor and Industries; minor work permit.

(4) Due to special investigative procedures, liquor licenses and other licenses, permits, certificates, and registrations which require lengthy investigative procedures will be handled as supplemental licenses in accordance with subsection (5). Upon approval by the appropriate agency, the license will be mailed to the licensee by the Department to be affixed to the master license.

(5) The Department shall be notified of reasons for delay if approval or denial of those licenses in subsection (3) has not been given in 21 days, and of reasons for delay if approval or denial of those licenses in subsection (4) has not been given within 60 days.

(6) This section shall not apply to the renewal of a license to the original licensee. In such a case individual licenses shall be issued pending approval or denial by the agencies in accordance with RCW 34.04.170 and WAC 308-300-140(1).

(7) It shall remain the responsibility of the appropriate agencies to provide the applicant with materials, information, and instructions pertinent to their periodic reports and other operation requirements.

**WSR 78-09-104
PROPOSED RULES
DEPARTMENT OF ECOLOGY**
[Filed September 5, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Ecology intends to adopt, amend, or repeal rules concerning sound level measurement procedures, creating chapter 173-58 WAC;

that such agency will at 7:00 p.m., Tuesday, October 17, 1978, in the Whatcom County Courthouse, 2nd Floor Hearings Room, 311 Grand Avenue, Bellingham, WA.

Also:

October 18, 1978, Wednesday, at 7:00 p.m., in
City Hall
Commissioners Chambers
8th and Plum
Olympia, WA

October 19, 1978, Thursday, at 7:00 p.m., in
Bellevue City Hall
Council Chamber
111 - 116th Avenue N.E.
Bellevue, WA

October 24, 1978, Tuesday, at 7:00 p.m., in
Chelan County PUD Auditorium
327 N. Wenatchee Avenue
Wenatchee, WA

October 25, 1978, Wednesday, at 7:00 p.m., in
Spokane County Health Center Auditorium
West 1101 College
Spokane, WA

conduct hearings relative thereto;
for further information contact Noise Section, Department of Ecology, PV-11, Olympia, Washington 98504 or phone (206) 753-6867;

and that the adoption, amendment, or repeal of such rules will take place at 10:00 a.m., Monday, March 12, 1979, in the Hearings Room, Department of Ecology, Lacey, WA.

The authority under which these rules are proposed is chapter 70.107 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to February 23, 1979, and/or orally at any of the above hearings.

Dated: August 31, 1978
By: Elmer C. Vogel
Deputy Director

**Chapter 173-58 WAC
SOUND LEVEL MEASUREMENT PROCEDURES**

NEW SECTION

WAC 173-58-010 INTRODUCTION. (1) Authority. Statutory and administrative law governing authority for the guidance and direction contained in these procedures is authorized by Chapter 70.107 RCW, the Noise Control Act of 1974.

(2) Purpose. The purpose of these rules is to establish standardized procedures for the measurement of sound levels of sources regulated by the Department of Ecology, including, but not limited to, environmental noise, watercraft, motor racing vehicles, construction, float planes, railroads, and aircraft engine testing.

(3) Personnel. For the purposes of enforcement, personnel shall have received training in the use of equipment and proper site selection, and must be certified by the Department of Ecology as competent in the sound level measurement procedures specified in this chapter.

(4) These regulations will be amended as needed to include any new instrumentation, equipment, or procedures which the department shall deem as necessary to accurately measure sound levels for enforcement purposes.

NEW SECTION

WAC 173-58-020 DEFINITIONS. As used in this chapter, unless the context clearly indicates otherwise:

(1) "Background Sound Level" means the level of all sounds in a given environment, independent of the specific source being measured.

(2) "dBA" means the sound pressure level in decibels measured using the "A" weighting network on a sound level meter. The sound pressure level, in decibels, of a sound is 20 times the logarithm to the base 10 of the ratio of the pressure of the sound to a reference pressure of 20 micropascals.

(3) "Department" means the department of ecology.

(4) "Director" means the director of the department of ecology.

(5) "EDNA" means the environmental designation for noise abatement, being an area or zone (environment) within which maximum permissible noise levels are established.

(6) "Local Government" means county or city government or any combination of the two.

(7) "Noise" means the intensity, duration and character of sounds, from any and all sources.

(8) "Person" means any individual, corporation, partnership, association, governmental body, state agency, or other entity whatsoever.

(9) "Property Boundary" means the surveyed line at ground surface, which separates the real property owned, rented, or leased by one or more persons, from that owned, rented, or leased by one or more other persons, and its vertical extension.

(10) "Racing Event" means any motor vehicle competition conducted under a permit issued by a governmental authority having jurisdiction or, if such permit is not required, then under the auspices of a recognized sanctioning body.

(11) "Receiving Property" means real property within which the maximum permissible noise levels specified in WAC 173-60-040 shall not be exceeded from sources outside such property.

(12) "Sound Level Meter" means a device which measures sound pressure levels and conforms to Type 1, Type 2, or Type 3 standards as specified in the American National Standards Institute Specification S1.4-1971.

(13) "Watercraft" means any contrivance, excluding aircraft, used or capable of being used as a means of transportation or recreation on water.

Reviser's Note: Errors of punctuation or spelling in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

NEW SECTION

WAC 173-58-030 INSTRUMENTATION. The following instrumentation and equipment shall be used for these measurements:

(1) Sound Level Meter. The sound level meter shall meet the Type 1, Type 2, or Type 3 requirements of ANSI S1.4-1971. The meter shall be set on the "A" scale. The meter response mode will be set as required in the specific procedure used. The sound level meter shall be returned to the manufacturer or a qualified laboratory at least once a year, to be calibrated to standards traceable to the National Bureau of Standards.

Type 1, Type 2, or Type 3 sound level meters shall be used for screening procedures but only Type 1 or Type 2 sound level meters shall be used for the measurement of sound levels for enforcement purposes.

(2) Sound Level Calibrator. An external calibrator or internal calibration shall be used periodically to assure the accuracy of the sound level meter. The calibrator shall be returned to the manufacturer or a qualified laboratory at least once a year to be calibrated to standards traceable to the National Bureau of Standards.

(3) Tachometer. The tachometer shall be an inductive pick up type for easy attachment to any spark plug cable, contain its own internal power supply, and shall meet SAE J197 specifications for off road electric tachometers. Calibration accuracy shall be ± 3 percent of full scale reading. The tachometer shall be calibrated at least once a year in accordance with the manufacturer's calibration procedures.

(4) Windscreen. A windscreen of open cell polyurethane foam shall be placed over the microphone to protect it from moisture, exhaust gases and wind effects.

(5) Anemometer. An anemometer shall be used periodically during measurements to test the wind speed.

NEW SECTION

WAC 173-58-040 AMBIENT CONDITIONS. The following ambient conditions shall be observed during measurements and shall determine whether testing is to occur or not:

(1) Wind. Sound level measurements shall not be made when the wind speed is in excess of:

(a) 20 mph (32 km/hr) for the close proximity test, WAC 173-58-080;

(b) 12 mph (19 km/hr) for all other tests.

(2) Precipitation. Sound level measurements shall not be made when precipitation is falling.

(3) Background sound level. Sound level measurements shall not be made when the background sound level is less than 10 dBA below the measured sound source.

NEW SECTION

WAC 173-58-050 MEASUREMENT EQUIPMENT PREPARATION AND USE. (1) Battery Check. A battery check shall be conducted on all instruments before field calibration and measurement.

(2) Calibration. Sound level meters shall be field calibrated (using procedures described in the manufacturer's instruction manual) at the beginning and end of each measurement period, and at intervals not exceeding two hours when the instrument is used for more than a two-hour period.

(3) Microphone orientation. The microphone shall be oriented with respect to the sound source as described in the manufacturer's instruction manual.

NEW SECTION

WAC 173-58-060 EQUIPMENT VARIATION ALLOWANCES. Due to unavoidable variations in measurement sites and test instruments, the following allowances shall be made for the respective sound level meters:

- ± 1 dBA for Type 1 sound level meters
- ± 2 dBA for Type 2 sound level meters
- ± 2 dBA for Type 3 sound level meters

This tolerance value shall be applied, after all necessary calculations have been made, to the final reported sound level for the measured sound source.

NEW SECTION

WAC 173-58-070 ENVIRONMENTAL NOISE MEASUREMENT PROCEDURE. (reserved)

NEW SECTION

WAC 173-58-080 CLOSE PROXIMITY EXHAUST SYSTEM SOUND LEVEL MEASUREMENT PROCEDURE. This section establishes specific procedures for the measurement of sound levels from exhaust systems at a distance of 20 inches (0.5 meter) from the exhaust outlet.

(1) For the purposes of this section "Vehicle" means any motor driven contrivance used as a means of transportation or recreation off of public highways.

(2) Initial inspection. An initial inspection of the vehicle exhaust system shall be conducted to determine if the following defects or modifications exist:

(a) the absence of a muffler;

(b) the presence of a muffler cut-out, bypass, or similar device;

(c) defects in the exhaust system including, but not limited to, pinched outlets, and holes or rusted through areas of the muffler or pipes;

(d) the presence of equipment which will produce excessive or unusual noise from the exhaust system.

An evaluation of the vehicle sound level shall also be made by the enforcement officer, using the human ear as a sensing device.

If the exhaust noise is discernibly louder than the engine noise, or if any of the defects or modifications described above exist, the enforcement officer shall have sufficient reason to request the vehicle operator to submit the vehicle to the measurement procedures described in this section. If the operator refuses to submit the vehicle to these measurement procedures, the enforcement officer may require the operator to cease operation of the vehicle.

(3) Test site and instrumentation set up. The test site and instrumentation shall be set up as follows:

(a) The test site shall be a flat, open area free of large, sound-reflecting surfaces (other than the surface on which the vehicle is resting), such as signboards, buildings, large docks, hillsides, or other vehicles, located within a 16-foot (5-meter) radius of the vehicle being tested and the location of the microphone. The vehicle shall not be on a hoist, rack, or over a pit. Shop doors shall be open to avoid excessively high readings. Nobody shall stand in the measurement area, except the observer and the driver, whose presence must have no influence on the meter reading.

(b) The microphone shall be at the same height as the center of the exhaust outlet if possible, but no closer to any surface than 8 inches (0.2 meter). The microphone shall be positioned with its longitudinal axis parallel to the ground, 20 ± 1 inches (0.5 meter) from the edge of the exhaust outlet, and 45 ± 10 degrees from the axis of the outlet. For exhaust outlets located inboard from the vehicle body, the microphone shall be located at the specific angle and at least 8 inches (0.2 meter) from the nearest part of the vehicle.

For vehicles provided with exhaust outlets spaced more than 12 inches (0.3 meter) apart, measurements shall be made for each outlet as if it were the only one, and the highest level shall be recorded.

For vehicles with a vertical exhaust, the microphone shall be placed at a height of 48 ± 2 inches (1.2 meter). Its axis shall be vertical and oriented upwards. It shall be placed at a distance of 20 ± 1 inches (0.5 meter) from the side of the vehicle nearest the exhaust outlet.

For vehicles with the exhaust system outlet near the engine, the engine hood (if one exists) should be closed as much as possible to reduce engine noise.

If a measuring device is attached to the exhaust outlet and the microphone to maintain proper distance, insure that no vibrations from the vehicle shall be transmitted to the instrument.

(4) Vehicle operation. The vehicle shall be operated as follows:

(a) Controlled ignition vehicles. The engine shall be operated at a normal operating temperature with transmission in park or neutral. Sound level measurements shall be made at three-fourths (75 percent) of the RPM for rated horsepower ± 100 RPM of meter reading.

(b) Vehicles with motorcycle engines. The engine shall be operated at normal operating temperatures with the transmission in neutral. If no neutral is provided, the vehicle shall be operated either with the rear wheel or wheels 2-4 inches (5-10 centimeters) clear of the ground, or with the drive chain or belt removed. The sound level measurement shall be made with the engine speed stabilized at one of the following values:

(i) If the engine data is available, test the vehicle at one-half (50 percent) of the RPM for maximum rated horsepower ± 100 RPM.

(ii) If the engine data is not available, and if the vehicle has a tachometer showing the manufacturer's recommended maximum engine speed ("Red Line"), test the vehicle at 45 percent of the "Red Line" RPM ± 100 RPM.

(iii) If the engine data and red line RPM are not available, test the vehicle at:

(A) 3500 RPM ± 100 RPM for engines with total cylinder displacement between 0-950 cc (0-58 in³).

(B) 2800 RPM \pm 100 RPM for engines with total cylinder displacement greater than 950 cc (58 in³).

(c) Diesel engine vehicles. The engine shall be operated at normal operating temperatures with transmission in park or neutral. Sound level measurements shall be made at the vehicle's maximum governed no load speed. The governed speed of the diesel engine should be ascertained to correspond with its nominal governed speed.

(5) Measurement. The exhaust system sound level shall be measured as follows:

(a) The sound level meter shall be set for slow response.

(b) The sound level meter shall be observed during the full cycle of engine acceleration-deceleration, and the recorded sound level shall be the highest value obtained during this cycle, excluding peaks due to unrelated ambient noise, engine noise, or extraneous impulsive-type noise. When more than one exhaust outlet exists, the recorded sound level shall be for the loudest outlet.

(c) At least two measurements shall be made, and the reported sound level shall be the average of the two highest readings which are within one dBA of each other.

Reviser's Note: Errors of punctuation or spelling in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

NEW SECTION

WAC 173-58-090 WATERCRAFT SOUND LEVEL MEASUREMENT PROCEDURE. This section establishes specific procedures for the measurement of watercraft sound levels.

(1) Screening. An initial inspection may be made to determine if the watercraft shall be required to undergo the pass-by measurement described in (2), (3), and (4) below.

(a) A Type 3 or better sound level meter shall be used to measure the sound level of any watercraft. The microphone shall be located in a boat or on a dock and no closer than 2 feet from any surface of the boat or dock.

(b) The watercraft shall be measured as it passes at a distance not less than 50 feet from the microphone.

(c) The enforcement officer may require the watercraft operator to submit to a pass-by or exhaust system sound level measurement if the initial inspection level is within 2 dBA of, or greater than, the levels established in chapter 173-70 WAC, section 040.

(2) Test site and instrumentation set-up. The test site and instrumentation shall be set up as follows:

(a) The test site shall be a calm body of water, large enough to allow full-speed pass-bys. The area around the microphone and boat shall be free of large obstructions, such as buildings, boats, hills, large piers, breakwater, etc., for a minimum distance of 100 feet (30 m). Three markers (buoys or posts) shall be placed in line, 50 feet (15 m) apart, to mark the course the boat is to follow while being tested.

(b) The sound level meter shall be a Type 2 or better. The microphone shall be placed 50 feet (15 m) from the line determined by the three markers, normal to the line and opposite the center marker. It shall also be placed 4-5 feet (1.2-1.5 m) above the water surface and no closer than 2 feet (0.6 m) from the surface of the deck or platform on which the microphone stands, as near to the end of the dock as possible or overhanging the end of the dock.

(3) Watercraft operation. The watercraft shall be operated as follows:

(a) Watercraft which are sold with power units installed (for example, inboards and stern drives) shall be tested with a motor or motors for which the watercraft is rated, since the sound level is dependent on overall design and construction.

(b) The watercraft shall pass all three markers on a straight course at wide-open throttle with the engine operating at the midpoint of the manufacturer's recommended full-throttle RPM range. The engine speed tolerance shall be \pm 100 RPM if this falls in the recommended full-throttle speed range. If a single top speed RPM is recommended, the tolerance shall be +0-100 RPM.

(4) Measurement. The watercraft sound level shall be measured as follows:

(a) The sound level meter shall be set for fast response.

(b) The meter shall be observed while the watercraft is passing within 1-3 feet (0.3-0.9 m) on the far side of all three markers. The applicable reading shall be the highest sound level obtained for the run excluding peaks due to unrelated ambient noise, water noise from waves or wakes, propeller cavitation noise, or extraneous impulsive-

type noise. At least two measurements shall be made for each side of the watercraft. All values shall be recorded.

(c) The sound level for each side of the watercraft shall be the average of two readings which are within 1dB of each other, rounded to the nearest 0.5 dB. The sound level reported shall be that of the loudest side of the watercraft.

(5) New watercraft shall be tested according to the specifications of the SAE J34 measurement procedure.

WSR 78-09-105

PROPOSED RULES

DEPARTMENT OF ECOLOGY

[Filed September 5, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Ecology intends to adopt, amend, or repeal rules concerning watercraft noise performance standards, creating chapter 173-70 WAC;

that such agency will at 7:00 p.m., Tuesday, October 17, 1978, in the Whatcom County Courthouse, 2nd Floor Hearings Room, 311 Grand Avenue, Bellingham, WA.

Also:

October 18, 1978, Wednesday, at 7:00 p.m., in
City Hall
Commissioners Chambers
8th and Plum
Olympia, WA

October 19, 1978, Thursday, at 7:00 p.m., in
Bellevue City Hall
Council Chamber
111 - 116th Avenue N.E.
Bellevue, WA

October 24, 1978, Tuesday, at 7:00 p.m., in
Chelan County PUD Auditorium
327 N. Wenatchee Avenue
Wenatchee, WA

October 25, 1978, Wednesday, at 7:00 p.m., in
Spokane County Health Center Auditorium
West 1101 College
Spokane, WA

conduct hearings relative thereto;
for further information contact Noise Section, Department of Ecology, PV-11, Olympia, Washington 98504 or phone (206) 753-6867;

and that the adoption, amendment, or repeal of such rules will take place at 10:00 a.m., Monday, March 12, 1979, in the Hearings Room, Department of Ecology, Lacey, WA.

The authority under which these rules are proposed is chapter 70.107 RCW and WAC 173-60-070.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to February 23, 1979, and/or orally at any of the above hearings.

Dated: August 31, 1978
By: Elmer C. Vogel
Deputy Director

**Chapter 173-70 WAC
WATERCRAFT NOISE PERFORMANCE STANDARDS**

NEW SECTION

WAC 173-70-010 AUTHORITY AND PURPOSE. These rules are adopted pursuant to chapter 70.107 RCW, the Noise Control Act of 1974, in order to establish noise performance standards for watercraft operating on all waters of Washington State.

NEW SECTION

WAC 173-70-020 DEFINITIONS. (1) "dB(A)" means the sound pressure level in decibels measured using the "A" weighting network on a sound level meter. The sound pressure level, in decibels, of a sound is 20 times the logarithm to the base 10 of the ratio of the pressure of the sound to a reference pressure of 20 micropascals.

(2) "EDNA" means the environmental designation for noise abatement, being an area or zone (environment) within which maximum permissible noise levels are established.

(3) "Local Government" means county or city government or any combination of the two.

(4) "Noise" means the intensity, duration, and character of sounds, from any and all sources.

(5) "Operator" means any person who is in actual physical or electronic control of a powered watercraft, motor vehicle, aircraft, off road vehicle or any other engine driven vehicle.

(6) "Person" means any individual, corporation, partnership, association, governmental body, state agency, or other entity whatsoever.

(7) "Receiving Property" means real property within which the maximum permissible noise levels specified herein shall not be exceeded from sources outside such property.

(8) "Sound Level Meter" means a device which measures sound pressure levels and conforms to Type 1, Type 2, or Type 3 as specified in the American National Standards Institute Specification S1.4-1971.

(9) "Shoreline" means the existing intersection of water and ground surface or structure.

(10) "Watercraft" means any contrivance, excluding aircraft, used or capable of being used as a means of transportation or recreation on water, including model craft, powered by an internal or external combustion engine.

(11) "New Watercraft" means a watercraft whose internal or external combustion engine is manufactured after December 31, 1978, whose equitable or legal title has never been transferred to a person who, in good faith, purchases the new watercraft and/or engine for purposes other than resale.

(12) "Waters of Washington State" include all lakes, rivers, ponds, streams, inland waters, saltwaters and all other surface waters and watercourses within the jurisdiction of the State of Washington.

NEW SECTION

WAC 173-70-030. IDENTIFICATION OF RECEIVING PROPERTY ENVIRONMENTS. (1) Except when included within specific prior designations as provided in subsections (2), (3), and (4) of this section, the EDNA of any property shall be based on the following typical uses, taking into consideration the present, future, and historical usage, as well as the usage of adjacent and other lands in the vicinity.

(a) Class A EDNA – Lands where human beings reside and sleep. Typically, Class A EDNA will be the following types of property used for human habitation:

- (i) Residential.
- (ii) Multiple family living accommodations.
- (iii) Recreational and entertainment, (e.g., camps, parks camping facilities, and resorts).

(iv) Community service, (e.g., orphanages, homes for the aged, hospitals, health, and correctional facilities).

(b) Class B EDNA – Lands involving uses requiring protection against noise interference with speech. Typically, Class B EDNA will be the following types of property:

- (i) Commercial living accommodations.
- (ii) Commercial dining establishments.
- (iii) Motor vehicle services.
- (iv) Retail services.
- (v) Banks and office buildings.
- (vi) Miscellaneous commercial services, property not used for human habitation.

(vii) Recreation and entertainment, property not used for human habitation (e.g., theaters, stadiums, fairgrounds, and amusement parks).

(viii) Community services, property not used for human habitation (e.g., educational, religious, governmental, cultural and recreational facilities).

(c) Class C EDNA – Lands involving economic activities of such a nature that higher noise levels than experienced in other areas is normally to be anticipated. Persons working in these areas are normally covered by noise control regulations of the department of labor and industries. Uses typical of Class A EDNA are generally not permitted within such areas. Typically, Class C EDNA will be the following types of property:

- (i) Storage, warehouse, and distribution facilities.
- (ii) Industrial property used for the production and fabrication of durable and nondurable man-made goods.

- (iii) Agricultural, aquacultural, and silvicultural property used for the production of crops, wood products, food products, or livestock.

(d) Where there is neither a zoning ordinance in effect nor an adopted comprehensive plan, the legislative authority of local government may, by ordinance or resolution, designate specifically described EDNAs which conform to the above use criteria and, upon departmental approval, EDNAs so designated shall be as set forth in such local determination.

(e) Where no specific prior designation of EDNAs has been made, the appropriate EDNA for properties involved in any enforcement activity will be determined by the investigating official on the basis of the criteria of (a), (b), and (c) of this subsection.

(2) In areas covered by a local zoning ordinance, the legislative authority of the local government may, by ordinance or resolution, designate EDNAs to conform with the zoning ordinance as follows:

- (a) Residential zones – Class A EDNA
- (b) Commercial zones – Class B EDNA
- (c) Industrial zones – Class C EDNA

Upon approval by the department, EDNAs so designated shall be as set forth in such local determination. EDNA designations shall be amended as necessary to conform to zone changes under the zoning ordinance.

(3) In areas not covered by a local zoning ordinance, but within the coverage of an adopted comprehensive plan, the legislative authority of the local government may, by ordinance or resolution, designate EDNAs to conform with the comprehensive plan as follows:

- (a) Residential areas – Class A EDNA
- (b) Commercial areas – Class B EDNA
- (c) Industrial areas – Class C EDNA

Upon approval by the department, EDNAs so designated shall be as set forth in such local determination. EDNA designations shall be amended as necessary to conform to changes in the comprehensive plan.

(4) The department recognizes that on certain lands, serenity, tranquility, or quiet are an essential part of the quality of the environment and serve an important public need. Special designation of such lands with appropriate watercraft noise level standards by local government may be adopted subject to approval by the department. The director may make such special designation pursuant to the procedures of the Administrative Procedure Act, chapter 34.04 RCW.

NEW SECTION

WAC 173-70-040 STANDARDS. No person shall operate any watercraft in or upon the waters of Washington State under any conditions of speed, load, acceleration or deceleration in such a manner as to exceed any of the following standards.

(1) Maximum permissible sound levels at the shoreline are as follows:

(a) At any hour of the day or night, the limit shall be 74 dB(A) as measured at the shoreline of all receiving properties.

(b) Between the hours of 10:00 p.m. and 7:00 a.m., the limit shall 45 dB(A) as measured at the shoreline of a Class A EDNA receiving property.

(2) All watercraft operated on or upon the waters of this state must meet the following noise levels when measured at a distance of not less than 50 feet from the closest point of the watercraft's hull amidships.

(a) For engines manufactured during the 1976 model year and before, a noise level of 84 dB(A).

(b) For engines manufactured during the 1977 model year through the 1979 model year, a noise level of 80 dB(A).

- (c) For engines manufactured during the 1980 model year through the 1984 model year, a noise level of 77 dB(A).
- (d) For engines manufactured during the 1985 model year and after, a noise level of 75 dB(A).

Testing procedures employed to determine such noise levels for enforcement purposes shall be in accordance with the exterior sound level measurement procedure for pleasure motorboats recommended by the Society of Automotive Engineers in its recommended practice designated SAE-J34. Sound level meters which meet Type 2 requirements of ANSI S1.4-1971 shall be acceptable for testing under SAE-J34 procedures. WAC 173-58 "Sound Level Measurement Procedures" shall, when established, provide uniform measurement procedures for enforcement statewide.

(3) All watercraft operated in or upon the waters of the state must meet the following noise levels when measured at a distance of 1/2-meter (20 inches) from the exhaust outlet under procedures adopted in WAC 173-58 "Sound Level Measurement Procedures."

(a) For engines manufactured during the 1976 model year and before, a noise level of 96 dB(A).

(b) For engines manufactured during the 1977 model year through the 1979 model year, a noise level of 95 dB(A).

(c) For engines manufactured during the 1980 model year through the 1984 model year, a noise level of 93 dB(A).

(d) For engines manufactured during the 1985 model year and after, a noise level of 91 dB(A).

(4) No person shall sell or offer for sale a new watercraft or new watercraft engine for use in any existing watercraft which produces a maximum noise exceeding the following levels:

(a) Manufactured during the 1980 model year through the 1984 model year, a noise level of 77 dB(A).

(b) Manufactured during the 1985 model year and after, a noise level of 75 dB(A).

These levels shall be measured under acceleration test procedures in accordance with the exterior sound level measurement procedure for pleasure motorboats recommended by the Society of Automotive Engineers in its recommended practice designated SAE-J34.

NEW SECTION

WAC 173-70-050 EXEMPTIONS. (1) Normal docking and undocking operations of all watercraft shall be exempt from the provisions of WAC 173-70-040(1)(a) and (b).

(2) The following sounds shall be exempt from all provisions of WAC 173-70-040.

(a) Sounds created by the operation of commercial, nonrecreational watercraft. These commercial activities include, but are not limited to, tugboats, fishing boats, ferries, and vessels engaged in interstate or international commerce.

(b) Sounds created by safety and protective devices where noise suppression would defeat the intent of the device.

(c) Sounds created by a warning device not operating continuously for more than five minutes.

(d) Sounds created by emergency equipment for emergency work necessary in the interests of law enforcement or for the health, safety, and welfare of the community.

(e) Sounds created by auxiliary equipment operated on watercraft for the purposes of dredging, pile driving, operation of a marina, clam and oyster harvesting are exempt, however, such operations are not exempt from requirements of chapter 173-60 WAC "Maximum Environmental Noise Levels."

(3) The provisions of WAC 173-70-040 shall not apply to motorboats competing under a local public entity or United States Coast Guard permit in a regatta, in a boat race, while on trial runs, or while on official trials for speed records during the time and in the designated area authorized by the permit. In addition, motorboats preparing for an officially sanctioned race or regatta if authorized by a permit issued by the local entity having jurisdiction over the area where the preparations will occur are exempt.

(4) Nothing in these exemptions is intended to preclude the enforcing or permitting authority from requiring installation of the best available noise abatement technology consistent with economic feasibility.

Reviser's Note: Errors of punctuation or spelling in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

Reviser's Note: The typographical errors in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

NEW SECTION

WAC 173-70-060 NUISANCE REGULATIONS NOT PROHIBITED. Nothing in this chapter or the exemptions provided herein shall be construed as preventing local government from regulating noise from watercraft as a nuisance. Local resolutions, ordinances, rules, or regulations regulating watercraft noise on such a basis shall not be deemed inconsistent with this chapter by the department.

NEW SECTION

WAC 173-70-070 IMPLEMENTATION SCHEDULES. (1) Conditions of Issuance.

The department or local entity with an approved ordinance may approve and issue to any person an implementation schedule for meeting any particular requirement of this chapter if it finds that immediate compliance with such requirement cannot be achieved because of conditions beyond the control of such person or because of special circumstances rendering immediate compliance unreasonable in light of economic or physical factors or because of the nonavailability of feasible technology or control methods.

(2) Request Procedure.

Implementation schedules shall be issued only upon application in writing to the department or local entity with an approved ordinance. Such application shall state in a concise manner the facts to show cause why such schedule should be approved. Any aggrieved person may appeal the department's decision on an application to the Pollution Control Hearings Board pursuant to chapter 43.21B RCW.

NEW SECTION

WAC 173-70-080 ENFORCEMENT. (1) Measurements shall be made with a sound level meter meeting Type 1 or Type 2 standards as specified in the American National Standards Institute Specifications S1.4 - 1971 to document violations for final enforcement actions under measurement procedures established in WAC 173-58.

(2) Any law enforcement officer, trained in the use of sound measurement equipment and certified by the department as competent in the use of the sound level measurement procedures established in WAC 173-58, who shall by the use of the initial inspection and screening procedures established in WAC 173-58-080 have a reason to suspect that a watercraft is in violation of these regulations, may require the watercraft operator to submit to measurement of the sound level of the watercraft under the procedures of WAC 173-58 for enforcement purposes as outlined in (1) above.

(3) Any operator who fails to comply with the directive to traverse the test course or submit to a 1/2-meter test as outlined in (1) above shall be subject to prosecution or, at the discretion of the law enforcement officer, such watercraft or engine shall be ordered to immediately return to its mooring and cease operations.

(4) Any person operating a watercraft found in violation of the established noise levels of this chapter shall be subject to a civil penalty not to exceed \$100 per day of violations.

(5) Any seller, importer, or manufacturer who violates the standards in WAC 173-70-040(4) shall be subject to a civil penalty not to exceed \$100 as established in chapter 70.107.050. Each watercraft or engine offered for sale or sold shall constitute a separate violation.

NEW SECTION

WAC 173-70-090 APPEALS. Any person aggrieved by any decision of the department in relation to the enforcement of the watercraft noise levels provided for herein, the granting or denial of a variance or the approval or disapproval of a local resolution or ordinance for noise abatement and control may appeal to the pollution control hearings board pursuant to chapter 43.21B RCW under the procedures of chapter 371-08 WAC.

NEW SECTION

WAC 173-70-100 COOPERATION WITH LOCAL GOVERNMENT. (1) The department conceives the function of noise abatement and control to be primarily the role of local government and intends actively to encourage local government to adopt measures for

noise abatement and control. Wherever such measures are made effective and are being actively enforced, the department does not intend to engage directly in enforcement activities.

(2) No ordinance or resolution of any local government which imposes watercraft noise control requirements differing from those adopted by the department shall be effective unless and until approved by the director. If approval is denied, the department, within 60 days of receipt of such local ordinance or resolution by the department, shall deliver its statement or order of denial, designating in detail the specific provision(s) found to be objectionable and the precise grounds upon which the denial is based, and shall submit to the local government, the department's suggested modification.

NEW SECTION

WAC 173-70-110 EFFECTIVE DATE. This chapter shall become effective on May 1, 1979. It is the intention of the department to periodically review the provisions hereof as new information becomes available for the purpose of making amendments as appropriate.

**WSR 78-09-106
PROPOSED RULES
DEPARTMENT OF ECOLOGY**

[Filed September 5, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Ecology intends to adopt, amend, or repeal rules concerning certification of operators of waste-water treatment plants, amending chapter 173-230 WAC;

and that the adoption, amendment, or repeal of such rules will take place at 9:45 a.m., Tuesday, October 10, 1978, in the Hearings Room, Department of Ecology, Lacey, WA.

The authority under which these rules are proposed is RCW 70.95B.040.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to October 4, 1978, and/or orally at 9:45 a.m., Tuesday, October 10, 1978, Hearings Room, Department of Ecology, Lacey, WA.

Dated: September 5, 1978

By: Elmer C. Vogel
Deputy Director

Chapter 173-230

**CERTIFICATION OF OPERATORS OF ((WASTE-WATER))
WASTEWATER TREATMENT PLANTS**

AMENDATORY SECTION (Amending Order 73-30, filed 11/9/73)

WAC 173-230-010 GENERAL. One of the basic requirements of the ((waste-water)) wastewater treatment plant operator certification act of 1973 (chapter 139, Laws of 1973) is to have every operator in responsible charge of a ((waste-water)) wastewater treatment plant certified in a class equal to or higher than the class of his treatment plant. Certification under this act is available to all operators who can meet the minimum qualification of a given classification. Each operator is encouraged to apply for certification in the highest classification consistent with his qualifications.

AMENDATORY SECTION (Amending Order 73-30, filed 11/9/73)

WAC 173-230-020 DEFINITIONS. (1) "Director" means the director of the department of ecology.

(2) "Department" means the department of ecology.

(3) "Board" means the ((waste-water)) wastewater operators certification board of examiners established by chapter 139, Laws of 1973.

(4) "Certificate" means the certificate of competency issued by the director stating that the operator has met the requirements for the specified operator classification of the certification program.

(5) "((Waste)) Wastewater Treatment Plant" means a facility used in the collection, transmission, storage, pumping, treatment or discharge of any liquid or waterborne waste, whether of domestic origin or a combination of domestic, commercial or industrial waste, and which by its design requires the presence of an operator for its operation. It shall not include any facility used exclusively by a single family residence nor septic tanks with subsoil absorption nor industrial ((waste-water)) wastewater works.

(6) "Operator" means an individual employed or appointed by any county, sewer district, municipality, public or private corporation, company, institution, person, or state of Washington who is designated by the employing or appointing officials as the person on site and in responsible charge of the actual operation of a ((waste)) wastewater treatment plant.

AMENDATORY SECTION (Amending Order 73-30, filed 11/9/73)

WAC 173-230-030 DUTIES OF THE BOARD. (1) Recommend to the director classification of ((waste-water)) wastewater treatment plants and maintain records thereof.

(2) Develop operator qualification standards consistent with the ((waste-water)) wastewater treatment plant classification system and examine the qualifications of applicants for certification.

(3) Assist in the development of rules and regulations; prepare, administer and evaluate examinations of operator competency as required by law, and recommend the issuance or revocation of certificates.

(4) Encourage to become certified operating personnel other than those who are required to be certified by the virtue of their responsibility as operator in charge.

(5) Maintain records of operator qualifications, certifications, and a register of certified operators.

AMENDATORY SECTION (Amending Order 73-30, filed 11/9/73)

WAC 173-230-040 CERTIFICATION REQUIRED. (1) After July 1, 1974, it shall be unlawful for any person, firm, corporation, municipal corporation or other governmental subdivision or agency to operate a ((waste)) wastewater treatment plant unless the operator in responsible charge of day-to-day operation of the plant holds an effective certificate issued by the director.

(2) When a ((waste)) wastewater treatment plant is operated on more than one daily shift, the operator for each shift shall be certified.

AMENDATORY SECTION (Amending Order 73-30, filed 11/9/73)

WAC 173-230-050 CERTIFICATION PREREQUISITES. (1) Certificates shall be issued only upon application and only after payment of fees as required herein.

(2) Certificates shall be issued without examination under the following conditions:

(a) In appropriate classifications, to operators who on July 1, 1973, held certificates of competency attained by examination under the voluntary certification program sponsored jointly by the department of social and health services and the pacific northwest pollution control association.

(b) In appropriate classifications, to persons verified by the governing body or owner to have been operators of a ((waste)) wastewater treatment plant on July 1, 1973. A certificate issued to any person under this subsection shall be valid only for the plant of which he was the operator on July 1, 1973, and shall not be renewed if such plant thereafter has been or is significantly modified.

(c) In appropriate classifications, to persons who fill a vacated position required to have a certified operator. Certificate issued under this subsection shall be temporary in nature and nonrenewable. If a position is vacated by the holder of an effective temporary certificate issued under this subsection, no additional temporary certificate shall be issued to his replacement.

(3) Except as provided in (2) above, certificates in appropriate classifications shall be issued only after successful completion of an examination as provided for in WAC 173-230-070.

AMENDATORY SECTION (Amending Order 73-30, filed 11/9/73)

WAC 173-230-090 FEES. (1) Except for applications for certificates under WAC 173-230-050(2)(a), initial applications will be accepted for processing only when accompanied by an application fee of ten dollars ((\\$10.00)).

(2) Except as provided under WAC 173-230-070(4), applications for reexamination will be accepted for processing only when accompanied by an application fee of ten dollars ((~~\$10.00~~)).

(3) Applications for certificate renewals will be accepted for processing only when accompanied by ((an)) a renewal fee of five dollars ((~~\$5.00~~)).

(4) All receipts hereunder shall be paid into the state general fund.

AMENDATORY SECTION (Amending Order 73-30, filed 11/9/73)

WAC 173-230-100 SUSPENSION AND REVOCATION. (1) When a certificate is not renewed, such certificate, upon notice by the director, shall be suspended for thirty ((30)) days. If, during such suspension period, renewal of the certificate is not completed, the director shall give notice of revocation to the employer and to the certificate holder and the certificate shall be revoked ten ((10)) days after such notice is given.

(2) Certificates may be revoked when the board so recommends to the director, upon finding:

- (a) Fraud or deceit in obtaining the certificate.
- (b) Gross negligence in the operation of a ((waste)) wastewater treatment plant.

(c) Violation of the requirements of this chapter or the statute it implements or of any lawful rule, regulation or order of the department.

(3) No revocation shall be made under this subsection unless the operator has been notified that revocation is proposed, has been advised of the grounds therefor and has been given an opportunity to appear before the board and be heard on the matter.

(4) Whenever his certificate is revoked, the operator shall not be certified again until he has applied for certification as herein provided, paid the initial application fee, and successfully completed the examination provided for in WAC 173-230-070.

(5) If revocation was made pursuant to subsection (2) above, the operator shall not be eligible to reapply for a certificate for one year from the date the revocation became final.

AMENDATORY SECTION (Amending Order 73-30, filed 11/9/73)

WAC 173-230-140 CLASSIFICATION OF ((WASTE WATER)) WASTEWATER TREATMENT PLANTS. ((Waste water)) Wastewater treatment plants are classified in four groups, according to the total point rating as derived from the items listed below. Assignment of treatment works to the proper classification group will be made by the director.

(1) PLANT CLASS:

- (a) Class ((IV)) I - 1 - 25 total points.
- (b) Class ((III)) II - 26 - 50 total points.
- (c) Class ((II)) III - 51 - 70 total points.
- (d) Class ((I)) IV - 71 or more total points.

RATING
VALUE

(2) DESIGN FLOW 1 per 5
mgd, not
to exceed
(Example: 1 to 5 mgd= 1 point; 5.1 to 10 20 points
mgd= 2 points, etc.)

(3) POPULATION EQUIVALENT (P.E.) 1 per 5,000
P.E., not
to exceed
20 points

(4) PRE-TREATMENT UNITS

- (a) Manually cleaned screens 1
- (b) Mechanically cleaned screens 2
- (c) Grit removal 3
- (d) Pre-aeration 1
- (e) Comminutor, barminutors, grinders, etc. 1
- (f) Plant pumping 3

(5) PRIMARY TREATMENT UNITS

- (a) Imhoff tanks, spiroesters, Clarigesters, etc. 3
- (b) Primary clarifiers 5
- (c) Primary clarifiers utilizing settling aid chemicals 9

RATING
VALUE

(6) SECONDARY TREATMENT UNITS

- (a) Trickling filter (without recirculation) 5
- (b) Trickling filter (with recirculation) 7
- (c) Activated sludge

 - (i) Mechanical aeration 8
 - (ii) Diffused or dispersed air 10
 - (iii) Oxidation ditch 8
 - (iv) Pure oxygen 13
 - (d) Stabilization ponds 5
 - (e) Stabilization ponds with aeration 7
 - (f) Secondary clarifiers 5

(7) TERTIARY TREATMENT UNITS

- (a) Polishing pond 2
- (b) Land disposal of effluent 5
- (c) Chemical treatment for phosphorus removal 5
- (d) Activated carbon beds (with carbon regeneration) 10
- (e) Activated carbon beds (without carbon regeneration) 8
- (f) Sand or mixed-media filters 4
- (g) Other nutrient removal processes following secondary treatment 10

(8) DISINFECTION

- (9) SLUDGE TREATMENT
- (a) Sludge digesters (anaerobic) 4
- (i) If heated, add 3
- (ii) If mechanically or gas mixed, add 2
- (b) Sludge digesters (aerobic) 6
- (c) Drying beds or evaporation lagoons 2
- (d) Thickener clarifier 5
- (e) Vacuum filter 7
- (f) Centrifuge 7
- (g) Incinerator 10
- (h) Utilizing digester gas for other than heating purposes 3

When a ((waste)) wastewater treatment plant handles a complex waste or a unique treatment process that is not reflected in the classification system, the director upon recommendations of the board may establish a classification consistent with the intent of the above classification system.

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Ecology intends to adopt, amend, or repeal rules concerning extending the withdrawal of the unappropriated public waters of the Little Klickitat River Basin from November 1, 1978 to November 1, 1981 or until a state water resources management program has been adopted for the Little Klickitat River Basin as provided in chapter 173-500 WAC, whichever occurs first, amending WAC 173-530-940;

that such agency will at 7:00 p.m., Wednesday, October 11, 1978, in the Klickitat County PUD Auditorium, 1313 South Columbus, Goldendale, WA, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 10:00 a.m., Thursday, October 19, 1978, in the Hearings Room, Department of Ecology, Lacey, WA.

The authority under which these rules are proposed is RCW 90.54.050.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to October 13, 1978, and/or orally at above hearing.

Dated: September 5, 1978

By: Elmer C. Vogel
Deputy Director

AMENDATORY SECTION (Amending Order DE 76-7, filed 4/14/76)

WAC 173-530-940 DECLARATION OF WITHDRAWAL. The department declares that, after the effective date hereof, the public waters of the Little Klickitat River Basin are withdrawn from further appropriation until November 1, ((1978)) 1981 or until a state water resources management program has been adopted for the Little Klickitat River Basin as provided in chapter 173-500 WAC, whichever occurs first. After the effective date of the regulation for the withdrawal, the department will continue to accept applications for water rights in the basin, as provided in RCW 90.03.250 and 90.44.060; however, no actions of approval or disapproval of these applications shall be made by the department during the time the withdrawal is in effect except as provided for in WAC 173-530-960.

WSR 78-09-108

**NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF ECOLOGY
(Ecological Commission)
[Memorandum—September 5, 1978]**

The Washington State Ecological Commission will hold a regular quarterly meeting on Thursday, October 12, 1978, beginning at 9 a.m., in the Clark County P.U.D. Operations Auditorium, 8600 N.E. 117th Avenue, Vancouver, Washington.

Information regarding the Ecological Commission meeting may be obtained by contacting Susan Pratt, Ecological Commission Secretary (206-753-2240) in Olympia.

WSR 78-09-109

**NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF ECOLOGY
[Memorandum—September 5, 1978]**

NOTICE OF RESCHEDULED HEARING

The Washington State Department of Ecology, Office of Water Programs, has postponed its scheduled September 15, 1978 public hearing on the Fiscal Year 1979 project priority list.

The public hearing has been rescheduled for October 27, 1978, 10 a.m., in the Olympia City Hall Council Chambers, Eighth and Plum, Olympia, Washington.

The hearing is in accordance with the provisions of the Clean Water Act of 1977 (PL 95-217) to receive comments and statements on the adoption of the Fiscal Year 1979 project priority list for waste water construction grants.

The public may review and receive information on the Fiscal Year 1979 project list at the Department of Ecology offices listed below after October 13, 1978:

Department of Ecology
Northwest Regional Office
4350 - 150th Avenue N.E.
Redmond, WA 98052

Department of Ecology
Southwest Regional Office
7272 Cleanwater Lane
Olympia, WA 98504

Department of Ecology
Eastern Regional Office
East 103 Indiana Avenue
Spokane, WA 99207

Department of Ecology
Central Regional Office
2803 Main Street
Union Gap, WA 98903

Department of Ecology
Headquarters Office
St. Martin's College Campus
Olympia, WA 98504

Further information regarding the FY 79 project list may be obtained by contacting Rick Pierce, Department of Ecology, Headquarters Office, tel. (206) 754-1323.

People unable to attend the hearing but desiring to comment should forward written statements to: Department of Ecology, Attn: Hearing Officer, Olympia, WA 98504, prior to October 27, 1978 for inclusion in the record at the public hearing. The record of the hearing will remain open for written statements until November 6, 1978.

✓ ✓
**WSR 78-09-110
ADOPTED RULES**

**DEPARTMENT OF GENERAL ADMINISTRATION
[Order 78-5—Filed September 5, 1978]**

I, Vernon L. Barnes, director of the Department of General Administration, do promulgate and adopt at the Office of the Director, Department of General Administration, 218 General Administration Bldg., Olympia, WA, the annexed rules relating to Fisherman Loan Program, amending chapter 236-32 WAC.

This action is taken pursuant to Notice No. WSR 78-08-081 filed with the code reviser on 7/27/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 43.17.060 and 75.44.050 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED September 5, 1978.
By Vernon L. Barnes
Director

**Chapter 236-32
FISHERMAN LOAN PROGRAM**

REPEALER

The following sections of the Washington Administrative Code are each repealed:

(1) **WAC 236-32-001 PURPOSE.**

- (2) WAC 236-32-010 EARNED INCOME.
 (3) WAC 236-32-020 PRODUCTIVE COMMERCIAL FISHERMAN.
- (4) WAC 236-32-030 FINANCIAL ASSISTANCE NOT OTHERWISE AVAILABLE. SOUNDNESS OF LOAN.
- (6) WAC 236-32-050 COORDINATION WITH DEPARTMENT OF FISHERIES.
- (7) WAC 236-32-060 ELIGIBILITY CONFIRMED—DENIED.
- (8) WAC 236-32-070 APPLICATION FORM—ATTACHED DOCUMENTS.
- (9) WAC 236-32-080 LOANS WHICH CANNOT BE MADE.
- (10) WAC 236-32-100 DENIAL OF LOANS.

**WSR 78-09-111
PROPOSED RULES
THE EVERGREEN STATE COLLEGE**

[Filed September 5, 1978]

Notice is hereby given in accordance with the provisions of RCW 28B.19.030 and 28B.40.120(11), that the The Evergreen State College intends to adopt, amend, or repeal rules concerning:

1. Social Contract.
2. Facilities Usage for On-Campus Events and Appearances;

that such institution will at 11:00 a.m., Thursday, October 19, 1978, in the Board of Trustees Room 3112, Library Bldg., The Evergreen State College campus, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 11:00 a.m., Thursday, October 19, 1978, in the Board of Trustees Room Library Bldg. 3112, The Evergreen State College, Olympia.

The authority under which these rules are proposed is RCW 24B.40.120(11) [28B.40.120(11)].

Interested persons may submit data, views, or arguments to this institution in writing to be received by this institution prior to October 12, 1978, and/or orally at 11:00 a.m., Thursday, October 19, 1978, Board of Trustees Room Library Bldg. 3112, The Evergreen State College, Olympia.

Dated: August 17, 1978
By: Daniel J. Evans
President

AMENDATORY SECTION (Amending Order 2, filed 2/22/72)

WAC 174-124-020 BASIC PURPOSES—INDIVIDUAL RESPONSIBILITY OF MEMBERS OF THE COLLEGE COMMUNITY. ((The Evergreen State College is an association of people who come together to learn and to help each other learn. Such a community of learners can thrive only if each member respects the rights of others while enjoying his own rights. It depends heavily on a network of mutual trust and an atmosphere of civility; and it grows in

its human utility only if each of its members lives up to the responsibilities for honesty, fairness, tolerance, and the giving of his best efforts as those efforts are entailed by his membership. Students, faculty, administrators, and staff members may differ widely in their specific interests, in the degrees and kinds of experience they bring to Evergreen, and in the functions which they have agreed to perform. But all must share alike in prizes academic and inter-personal honesty, in responsibly obtaining and providing full and accurate information, and in resolving their differences through due process and with a strong will to collaboration.)

((2) These considerations directly imply the necessity of an organized structure to achieve the goals of more effective learning, a system of governance that encourages widespread participation in the making of college decisions (See Governance and Decision-Making at Evergreen, statement of 10 June, 1971), and a full awareness on the part of every member of the community of how his behavior influences the climate and the spirit of the campus. If the spirit and climate of the college are to promote learning most effectively, then each member of the community must protect in an active, thoughtful, and concerned way (a) the fundamental rights of others in the community as citizens, (b) the right of each member of the community to pursue different learning objectives within the limits defined by Evergreen's resources in people, materials and equipment, and money, (c) the rights and obligations of Evergreen as an institution established by the state of Washington, and (d) the rights of all members of the community to fair and equitable procedures for determining how, when, and against whom the community must act when its safety or its integrity has been damaged. Even more important, however, is the requirement, difficult to define and impossible to legislate, that each member of the Evergreen community concern himself with how the college can become a more productive, more humane, and more supportive place in which to learn. This requirement entails an explicit and continuing consideration of the delicate balances in the relationship of the members of the Evergreen community to each other and to the institution itself.))

(1) The Evergreen State College is an association of people who work together as learners and teachers. Such a community can thrive only if members respect the rights of others while enjoying their own rights. Students, faculty, administrators and staff members may differ widely in their specific interests, in the degrees and kinds of experiences they bring to Evergreen, and in the functions which they have agreed to perform, but all must share alike in prizes academic and interpersonal honesty, in responsibly obtaining and in providing full and accurate information, and in resolving their differences through due process and with a strong will to collaboration. In its life as a community The Evergreen State College requires a social contract rather than a list of specific prohibitions and essentially negative rules.

((2) The individual members of the Evergreen community have the responsibility for protecting each other and visitors on campus from physical harm, from personal threats, and from uncivil abuse. Similarly, the institution is obligated, both by principle and by the general law, to protect its property from damage and unauthorized use and its operating processes from interruption. At the same time, it also must guarantee the right of the members of the community to voice their opinions with respect to basic matters of policy and other issues.

((3) As a community, Evergreen, through its governance structures, has both the right and the obligation to establish reasonable standards of conduct for its members in order to safeguard the processes of learning, to provide for the safety of its members, to protect the investment of the people of the state of Washington in its properties and to insure a suitable respect for the very different tastes and sensibilities of its members. For these reasons, the law empowers the president or presidential designees to intercede whenever sound judgment points to a clear and present danger to these concerns.

((4) Each member of the community must protect: (a) The fundamental rights of others in the community as citizens, (b) the right of each member in the community to pursue different learning objectives within the limits defined by Evergreen's curriculum or resources in people, materials, equipment and money, (c) the rights and obligations of Evergreen as an institution established by the state of Washington, and (d) individual rights to fair and equitable procedures when the institution acts to protect the safety of its members.

AMENDATORY SECTION (Amending Order 2, filed 2/22/72)

WAC 174-124-030 INDIVIDUAL RIGHTS OF MEMBERS OF THE EVERGREEN COMMUNITY. (1) Members of the Evergreen community recognize that the college is ((inherently and incapably a)) part of the larger society as represented by the state of

Washington, which funds it, and by the community of greater Olympia, in which it is located. From this state of affairs flow certain rights for the members of the Evergreen community, certain conditions of campus life, and certain obligations.

(2) Among the basic rights are freedom of speech, freedom of the press, freedom of peaceful assembly and association, freedom of belief, and freedom from ((personal force and violence, from threats of violence, and from personal abuse)) intimidation, violence and abuse.

(3) ((Freedom of the press implies the right to freedom from censorship in campus newspapers and other media. Concomitantly, such publications are subject to the usual canons of responsible journalism; to the law of the press, and to the same conditions of self-maintenance that apply to other forms of public communication.

(4)) There may be no discrimination at Evergreen with respect to race, sex, sexual orientation, religious or political belief, or national origin ((with respect to)) in considering individuals' admission, employment, or promotion. To this end the college has adopted an affirmative action policy (references Evergreen Administrative Code WAC 174-148, Equal Opportunity Policies and Procedures – Affirmative Action Program).

((5)) (4) Because the Evergreen community is ((not separate or segregated from)) part of the larger society, the campus is not a sanctuary from the general law or invulnerable to ((the)) general public ((interest)) opinion. ((The members of the Evergreen community are therefore obligated to deal with the relationship between the campus and the larger society with a balance of forthrightness and sensitivity, criticism and respect, and an appreciation of the complexities of social change and personal differences.

((6)) (5) The Evergreen community will support the right of its members, individually or in groups, to express ideas, judgments, and opinions in speech or writing. The members of the community, however, are obligated to make ((their)) statements in their own names and not as expressions on behalf of the college.

((7)) (6) ((Each member of the college community has the right to organize his own personal life and conduct according to his own values and preferences so long as his actions accord with the general law, are in keeping with agreements voluntarily entered into, evince an appropriate respect for the rights of others to organize their lives differently, and advance (or at least do not interfere with) the community-wide purpose of more effective learning. In short, Evergreen does not stand in loco parentis for its members.)) All members of the college community have the right to organize their personal lives and conduct according to their own values and preferences, with an appropriate respect for the rights of others to organize their lives differently.

(7) Evergreen does not stand in loco parentis for its members.

(8) The right to use the mediation and adjudication process is enjoyed by all members of the Evergreen community. (Reference: WAC 174-108-06001 Mediation and Adjudication of Disputes, Grievances and Appeals).

AMENDATORY SECTION (Amending Order 2, filed 2/22/72)

WAC 174-124-040 CONDITIONS OF LEARNING—FREEDOM—PRIVACY—HONESTY. (1) ((As a community of people who have come together to learn and to help one another to learn more effectively, Evergreen's members live under a special set of rights and responsibilities. Foremost among these rights is that of enjoying full freedom to explore the nature and implications of ideas, to generate new ideas, and to discuss their explorations and discoveries in both speech and print without let or hindrance. Both institutional censorship and intolerance by individuals or groups are at a variance with this basic freedom. By a similar token, research or other intellectual efforts, the results of which must be kept secret or may be used only for the benefit of a special interest group, also violate the principle of free inquiry.)) Evergreen's members live under a special set of rights and responsibilities, foremost among which is that of enjoying full freedom to explore ideas and to discuss their explorations in both speech and print without let or hindrance. Both institutional and individual censorship are at variance with this basic freedom. Research or other intellectual efforts, the results of which must be kept secret or may be used only for the benefit of a special interest group, also violate the principle of free inquiry.

(2) ((Serious thought and learning entail privacy. Although human accessibility is a basic value, and although meetings of public significance cannot properly be held in secret.)) All members of the Evergreen community are entitled to privacy in the college's offices, facilities devoted to educational programs, and housing. The same right of privacy extends to personal papers, confidential records, and

personal effects, whether maintained by the individual or by the institution. Meetings of public significance cannot be properly held in secret.

(3) All members of the Evergreen community enjoy the right to hold and to participate in public meetings, to post notices on the campus, and to engage in peaceful demonstrations. ((In order to protect the safety of the community and to respect the equal rights of those who choose not to participate.)) Reasonable and impartially applied rules((; following established procedures of governance (See Governance and Decision-Making at Evergreen.))) may be set with respect to time, place and use of Evergreen facilities in these activities.

(4) Honesty is an essential condition of learning. Honesty includes ((although it is not limited to)) the presentation of only one's own work in one's own name, the full consideration of evidence and logic ((even when they contradict a cherished personal point of view)), and the recognition((—inssofar as it is humanly possible—)) of biases and prejudices in oneself ((as one strives to become a more effective learner)).

(5) Another essential condition of learning is the full freedom and right on the part of individuals and groups to the expression of minority, unpopular, or controversial points of view. ((If the Evergreen community is to prove valuable to all its members, this right must be especially cherished, particularly when the predominant current of opinion, regardless of its character or its content, runs strong.))

(6) Related to this point is the way in which civility is a fundamental condition of learning. Only if minority and unpopular points of view are accorded respect, are listened to, and are given full opportunity for expression will Evergreen provide bona fide opportunities for significant learning ((as opposed to pressures, subtle or overt, to ride the main tides of purely contemporary opinion)).

(7) All members of the Evergreen community((—students, staff, faculty, administrators, trustees, and all others—)) are under an obligation to protect the integrity of Evergreen as a community of learners from external and internal attacks, and)) should strive to prevent the financial, political, or other exploitation of the campus by any individual or group.

AMENDATORY SECTION (Amending Order 2, filed 2/22/72)

WAC 174-124-050 INSTITUTIONAL RIGHTS AND OBLIGATIONS. (1) As an institution, Evergreen has the obligation to provide an open forum for the members of its community to present and to debate public issues, to consider the problems of the college, and to serve as a mechanism of widespread involvement in the life of the larger community. ((See Governance and Decision-Making at Evergreen, sections on the college forum and on the college sounding board.))

(2) The college has the obligation to prohibit the use of its name, its finances, and its facilities for commercial purposes.

(3) Evergreen has the right to prohibit individuals and groups who are not members of its community from using its name, its financial or other resources, and its facilities for commercial, religious, or political activities. ((This right is balanced by an obligation to formulate and to administer its policies in this regard in an even-handed manner.))

(4) The college is obligated not to take a position, as an institution, in electoral politics or on public issues except for those matters which directly affect((s)) its integrity, the freedom of the members of its community, its financial support, and its educational programs. At the same time, Evergreen has the obligation to support the right of its community's members to engage, as citizens of the larger society, in political affairs, in any way that they may elect within the provision of the general law.

((5)) The individual members of the Evergreen community have the responsibility for protecting each other and visitors on campus from physical harm, from personal threats, and from uncivil abuse. Similarly, the institution is obligated, both by principle and by the general law, to protect its property from damage and unauthorized use and its operating processes from interruption. At the same time, it also must guarantee the right of the members of its community to be heard at appropriate levels of decision-making with respect to basic matters of policy and other issues of direct concern. As a community, Evergreen, through its governance structures, has both the right and the obligation to establish reasonable standards of conduct for its members in order to safeguard the processes of learning, to provide for the safety of its members, to protect the investment of the people of the state of Washington in its properties, and to insure a suitable respect for the very different tastes and sensibilities of its members. For these reasons, the law empowers the president or his designees to intercede whenever,

in his (or their) judgment, a clear and present danger to these concerns exists.))

AMENDATORY SECTION (Amending Order 2, filed 2/22/72)

WAC 174-124-120 PROCEDURAL REVIEW—SUBSEQUENT MODIFICATION OF ((RULES)) THE SOCIAL CONTRACT. (((1) In both this statement of the Evergreen social contract and in Governance and Decision-Making at Evergreen, a number of important procedural clarifications are still necessary. Several members of the present task force on the social contract have expressed interest in helping to formulate those procedures and to work them out in the necessary greater detail. If acceptable to the community, then the appropriate members of the task force and interested members of the committee on governance could profitably assemble to identify the problems and to begin to move toward their speedy solution.

(2) This document is subject to review and change by processes analogous to those which brought it into being.)) This document shall be reviewed with each review of the covenant on governance.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- (1) WAC 174-124-010 INTRODUCTION—DECLARATIONS OF COLLEGE POLICY.
- (2) WAC 174-124-060 THE ISSUE OF STRIKES—BOYCOTTS—SANCTIONS.
- (3) WAC 174-124-070 JUDICIAL ACTION.
- (4) WAC 174-124-080 INFORMAL MEDIATION.
- (5) WAC 174-124-090 FORMAL MEDIATION—COMMUNITY SERVICE LIST.
- (6) WAC 174-124-100 APPEAL PROCEDURE—BOARD OF JUDGMENT.
- (7) WAC 174-124-110 OFF-CAMPUS OFFENSES OR CONVICTIONS—ALL-CAMPUS HEARING BOARD.

AMENDATORY SECTION (Amending Order 74-2, filed 5/24/74)

WAC 174-136-015 PROCEDURES FOR SECURING PERMISSION. (1) No permission is necessary for a speaker or performer invited by a faculty member or staff member to participate in the regular instructional, research, public service or support programs of the college if it is not necessary to make special arrangements for facilities and if the appearance will not disrupt the college's normal operations or interfere with rights of others. (If the event is to be open to the public, the Director of Recreation and Campus Activities shall be notified.)

(2) Permission to schedule an event or appearance other than as delineated immediately above must be secured from the Director of Recreation and Campus Activities (((if not a commercial activity as defined in WAC 174-136-020 and if not a conference or convention) or from the Director of Auxiliary Services (if a commercial activity or a conference or convention))). See Exhibit I for format of ("Request for Use of College Facilities") "Production Clearance Report" unless a commercial activity as defined in WAC 174-136-020 from the Business Manager or unless a conference or convention as defined in WAC 174-136-021 from the Conference Coordinator.

AMENDATORY SECTION (Amending Order 74-2, filed 5/24/74)

WAC 174-136-016 ((CHARGES FOR FACILITIES AND SERVICES)) PREFERENCE IN SCHEDULING. ((Charges for facilities and required services may be made by the college to the sponsor of any event or appearance other than one required for the regular instructional, research, public service or support programs of the college, per the schedule of charges established and published by the Business Manager. Special services (e.g., chair set-up) and equipment use charges may be charged in addition to the facilities use fees.)) (1) Preference in scheduling space for free use will be given to the college's regular instructional, research, public service, support or college activity programs. The Director of Facilities or his/her designee shall decide whether the proposed use of the space relates to a college function. Sponsors of all other events or appearances will be charged for the use of college facilities in accordance with the schedule of charges established and published by the Business Manager. (See Exhibit II.)

(2) College activities that do not have a budgetary unit sponsoring the function must register with the Director of Recreation and Campus Activities to be recognized as a college activity.

(3) State agencies, state schools and post secondary institutions in the state of Washington will be permitted to use unscheduled college space free of charge on a single use basis. If the space is to be used for periods longer than a week at a time, these organizations should be charged.

(4) Special services (e.g., extra janitorial, security, audio visual equipment, coffee) related to special events or appearances will be charged to the user.

AMENDATORY SECTION (Amending Order 74-2, filed 5/24/74)

WAC 174-136-017 OTHER REQUIREMENTS. (1) When deemed advisable by the Director of Recreation and Campus Activities, or the ((Director of Auxiliary Services)) Business Manager or Conference Coordinator, as the case may be, the sponsor or conductor of an event or appearance may be required to make an advance deposit, post a bond, and/or obtain insurance to protect the college against damage costs or other liability.

(2) Permission to an individual or organization for use of college facilities, when granted, carries the express understanding and condition that the individual or organization assumes full responsibility for any loss or damage resulting from the use of college facilities and that he, she, or it agrees to hold harmless and indemnify the college against any loss or damage or claims arising out of such use.

AMENDATORY SECTION (Amending Order 74-2, filed 5/24/74)

WAC 174-136-019 ACTIVITIES FOR COMMERCIAL PURPOSES. (1) The term "commercial purposes" means the exchange, sale, or purchase of goods, productions, or property of any kind or personal services or entertainment, and/or solicitation, advertising, or other promotion of such exchange, sale, or purchase, when as a result of such activities, profit accrues to one or more individuals or companies, whether or not such individuals or companies are constituted entirely of members of the Evergreen student body, faculty and/or staff. The term "for profit" shall mean monetary gain as an intent of the activity whether or not the activity is in fact profitable.

(2) Charges for use of facilities for commercial purposes shall be made at the scheduled rates except in the following cases:

- (a) Commercial activities to support instructional programs (e.g., bake sales, pottery and ceramic sales).
- (b) Commercial activities by recognized campus activities groups ((e.g., the Arts Cooperative)).
- (c) Commercial activities by the regular campus food service.
- (d) Commercial activities by the College Bookstore.
- (e) Commercial activities by publishers and manufacturers who bring to the attention of faculty, staff and students books, equipment and facilities which aid and abet the instructional, research, public service or operational programs of the college.

(3) Application for the use of campus facilities for commercial purposes is made with the ((Director of Auxiliary Services)) Business Manager. In addition to the satisfaction of any requirements imposed for advanced deposit, bond, and/or insurance, and the indemnification of the college against loss, damage, and/or claims, the application shall include:

- (a) Statement of goals and objectives.
- (b) Justification statement demonstrating the necessity for the venture on campus and an assessment of needs.
- (c) An inventory of legal requirements (including tax obligations) to be met and evidence of the individual's or organization's ability to comply with them.
- (d) A proforma balance sheet and profit and loss statement with supporting detail for revenue and expense. Projections should cover the next two fiscal years.

AMENDATORY SECTION (Amending Order 74-2, filed 5/24/74)

WAC 174-136-021 CONFERENCES AND CONVENTIONS. The Conference Coordinator for the college shall offer college facilities and services for conferences and conventions when the campus atmosphere is particularly appropriate or when demands for facilities and services exceed the demands of local private enterprise, but shall never place ((itself)) the college in a position of direct competition with Olympia-Lacey-Tumwater businessmen.

WSR 78-09-112
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 78-71—Filed September 5, 1978]

I, Gordon Sandison, director of state Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, Gordon Sandison, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency in this order is necessary to protect the chinook salmon in the Puyallup and White River system to ensure adequate spawners.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED September 5, 1978.
By Gordon Sandison
Director

NEW SECTION

WAC 220-28-011G0A CLOSED AREA Effective immediately until further notice, it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for, or possess salmon for commercial purposes from the waters of the White River, with any type gear.

WSR 78-09-113
PROPOSED RULES
DEPARTMENT OF LABOR AND INDUSTRIES
(Apprenticeship Council)
[Filed September 6, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and 49.04.010, that the Washington State Apprenticeship Council, Department of Labor and Industries, intends to adopt, amend, or repeal rules concerning:

Amd WAC 296-04-160 Apprenticeship committees.
New WAC 296-04-165 Union waiver.
Amd WAC 296-04-275 Reciprocity.

Written and/or oral submissions may also contain data, views and arguments concerning the effect of the proposed rules or amendments of rules on economic values, pursuant to chapter 43.21H RCW.

The agency reserves the right to modify the text of these proposed rules prior to the public hearing thereon or in response to written or oral comments thereon received prior to or during the public hearing.

Correspondence relating to this notice and proposed rules attached should be addressed to:

Apprenticeship and Training Division
Department of Labor and Industries
318 E. 4th Avenue
Olympia, WA 98504;

that such agency will at 10:00 a.m., Thursday, October 19, 1978, in the Davenport Hotel, West 807 Sprague Avenue, Spokane, WA, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 10:00 a.m., Thursday, October 19, 1978, in the Davenport Hotel, West 807 Sprague Avenue, Spokane, WA.

The authority under which these rules are proposed is RCW 49.04.010 and 34.04.025.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to October 19, 1978, and/or orally at 10:00 a.m., Thursday, October 19, 1978, Davenport Hotel, West 807 Sprague Avenue, Spokane, WA.

Dated: September 5, 1978
By: Hideo Naganawa
Chairman

AMENDATORY SECTION (Amending Order No. 76-4, filed 2/20/76)

WAC 296-04-160 APPRENTICESHIP COMMITTEES. (1) Apprenticeship Committees shall be approved in accordance with the provisions of RCW 49.04.040. Such committees shall have the duties prescribed by statute, these rules and the approved standards under which they operate. ((The Council will not approve the creation of any state or local apprenticeship committee in an area already served by such a committee in the same trade or craft, except to consolidate committees:)) Committees shall function, administrate or relinquish authority only with the consent of the Council. On any petition addressed to the Council or the supervisor, only the signature of the elected chairman and secretary of the committee shall be accepted unless the apprenticeship committee has petitioned the Council to recognize and accept the signature of another person. Such a petition must be signed by a quorum of the members of the petitioning apprenticeship committee.

(2) The Council may approve the creation of a state or local apprenticeship committee in an area already served by an existing committee in the same trade or craft under one of the following conditions: (a) consolidate committees; (b) the petitioner for approval of the committee has been denied and refused participation in the existing committee's program; (c) or other conditions which, in the judgment of the Council, justify approval.

(3) It is the Council's view that joint apprenticeship and training committees are not state agencies but rather only quasi-public entities performing services jointly for management and labor by assistance to the apprenticeship program.

Reviser's Note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

NEW SECTION

WAC 296-04-165 UNION WAIVER. (1) Under a program proposed for registration by an employer or employers' association, and

where the standards, collective bargaining agreement or other instrument, provides for participation by a union in any manner in the operation of the substantive matters of the apprenticeship program, and such participation is exercised, written acknowledgement of union agreement or "no objection" to the registration is required. Where no such participation is evidenced and practiced, the employer or employers' association shall simultaneously furnish to the union, if any, which is the collective bargaining agent of the employees to be trained, a copy of its application for registration and of the apprenticeship program. The registration agency shall provide a reasonable time period of not less than 30 days nor more than 60 days for receipt of union comments, if any, before final action on the application for registration and/or approval.

(2) Where the employees to be trained have no collective bargaining agent, an apprenticeship program may be proposed for registration by an employer or group of employers.

AMENDATORY SECTION (Amending Order No. 78-13, filed 8/22/78)

WAC 296-04-275 RECIPROCITY. Apprenticeship programs and standards of employers and unions in other than the building and construction industry, which jointly form a sponsoring entity on a multistate basis and are registered pursuant to all requirements of Title 29 Code of Federal Regulations, Part 29, as adopted February 15, 1977 by any recognized State Apprenticeship Agency/Council or by the Bureau of Apprenticeship and Training, U.S. Department of Labor, (~~(may)~~) shall be accorded approval reciprocity by the Washington State Apprenticeship and Training Council, if such reciprocity is requested by the sponsoring entity.

Provision for contractual services for handicapped children; Approval of nonpublic school agencies; Procedures; Out-of-state agencies. Requirements and arrangements for services to private school handicapped students.

Annual school district application for funds; Requirements; State monitoring.

Staff qualifications.

Transportation.

Facilities.

Materials and equipment.

Length of education program.

Administration of medication.

Fiscal and program audits; Fund withholding; Recovery of funds.

Citizen complaint process;

and that the adoption, amendment, or repeal of such rules will take place at 1:30 p.m., Thursday, September 14, 1978, in the Dr. Brouillet's Conference Room, Washington and Legion, Old Capitol Bldg., Olympia.

This notice is connected to and continues the matter noticed in Notice No. WSR 78-07-093 filed with the code reviser's office on July 5, 1978.

Dated: September 6, 1978

By: Frank B. Brouillet
Superintendent of Public Instruction

WSR 78-09-114

PROPOSED RULES

SUPERINTENDENT OF PUBLIC INSTRUCTION

[Filed September 6, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Superintendent of Public Instruction intends to adopt, amend, or repeal rules concerning:

Listed here is a summary of major items addressed in the proposed rules:

Purposes.

Requirement for State Advisory Council and membership thereon.

Definitions of general application.

Eligibility criteria for handicapped children and definitions of handicapping conditions.

Assessment procedures and requirements, including independent educational assessments.

Requirement for individualized education programs.

Placement options and requirements, including least restrictive alternative.

Annual review of placement required.

Requirements for notification of parents.

Hearing rights and procedures.

Right of appeal to the Superintendent of Public Instruction and procedures.

Placement of child during administrative/judicial hearing.

Provision for surrogate parents under certain circumstances.

Safeguarding of and access to records; Rights to request amendments; Right to hearing regarding records; Destruction of records.

WSR 78-09-115

ADOPTED RULES

SUPERINTENDENT OF PUBLIC INSTRUCTION

[Order 78-7—Filed September 6, 1978]

I, Frank B. Brouillet, Superintendent of Public Instruction, do promulgate and adopt at Old Capitol Bldg., Olympia, Washington, the annexed rules relating to rules governing application for and allocation of funds appropriated by the legislature and available for the conduct of inservice training programs for common school certificated and classified personnel and program reporting requirements, new chapter 392-195 WAC.

This action is taken pursuant to Notice No. WSR 78-07-094 filed with the code reviser on 7/5/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 28A.71-.210 which directs that the Superintendent of Public Instruction has authority to implement the provisions of chapter 28A.71 RCW.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED September 6, 1978.

By Frank B. Brouillet
Superintendent of Public Instruction

NEW SECTION

WAC 392-195-005 PURPOSE. The purpose of this chapter is to provide for the allocation of funds for in-service training programs pursuant to the In-Service Training Act of 1977, chapter 28A.71 RCW.

NEW SECTION

WAC 392-195-010 DEFINITIONS. As used in this chapter:

- (1) "Applicants" shall mean common school districts and educational service districts.
- (2) "In-service training" shall mean a cooperatively planned program of training for job-related activities designed to increase the competencies of common school certificated and classified employees in the performance of their assigned responsibilities.
- (3) "Needs assessment" shall mean a systematic study of the educational needs of the community, staff and students to be served.
- (4) "Funds" shall mean those funds appropriated by the legislature and available for the conduct and evaluation of in-service training programs.

NEW SECTION

WAC 392-195-015 APPLICATION FOR FUNDING. Applicants shall request funds from the superintendent of public instruction in accordance with the provisions set forth below:

- (1) Applicants shall conduct a needs assessment.
- (2) The board of an applicant shall appoint an advisory in-service training task force of at least thirteen members comprised of representatives from administrators, building principals, teachers, classified and support personnel employed by the applicant, an institution of higher education and the general public: PROVIDED, That not less than sixty percent of the representatives shall be representatives of the general public who are not employed by the applicant.
- (3) The applicant shall establish written goals and objectives, identify training activities relevant thereto and design evaluation procedures and criteria which assess the degree and level of attainment of the goals and objectives.
- (4) The task force shall review applications submitted pursuant to this chapter and suggest changes, if any, in direction, focus, or evaluation methods. No application will be accepted which is not approved by a majority vote of the task force.
- (5) Nonpublic school personnel may be invited to participate in continuing professional development activities by the applicant.
- (6) Funds shall supplement, not supplant, the existing staff development and in-service activities of an applicant.

NEW SECTION

WAC 392-195-020 ALLOCATION OF FUNDS. The superintendent of public instruction or his or her designee shall evaluate each application approved by the

applicant's task force and award funds to those programs which he or she deems to be in the best interest of the public school system. Consideration shall be given to:

- (1) The potential of the proposed training activities for accomplishing the stated objectives;
- (2) The extent to which the objectives are clearly defined and stated; and
- (3) The appropriateness of the evaluation design.

NEW SECTION

WAC 392-195-025 PROGRAM REPORTS. Grantees shall report the results of their programs to the superintendent of public instruction. A financial report that sets forth the objects of expenditure, such as released time, contractual services, materials and supplies and travel shall also be submitted to the superintendent of public instruction.

**WSR 78-09-116
PROPOSED RULES
COUNTY ROAD ADMINISTRATION BOARD**

[Filed September 6, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the County Road Administration Board intends to adopt, amend, or repeal rules concerning bridge inspection procedure, amending WAC 136-20-010, 136-20-020, 136-20-030, 136-20-040, 136-20-050 and 136-20-060;

that such agency will at 11:00 a.m., Friday, October 20, 1978, in the Townhouse Plaza, Yakima, Washington, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 11:00 a.m., Friday, October 20, 1978, in the Townhouse Plaza, Yakima, Washington.

The authority under which these rules are proposed is chapter 36.78 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to October 18, 1978, and/or orally at 11:00 a.m., Friday, October 20, 1978, Townhouse Plaza, Yakima, Washington.

Dated: September 6, 1978
By: Ernest Geissler
Director

AMENDATORY SECTION (Amending Order 11 filed 10-9-69)

WAC 136-20-010 PURPOSE. Bridge structures of many kinds are an integral part of every county road system. The structural safety of these bridges is of vital importance to the traveling public. A program of regular periodic inspection and reporting is necessary to fully inform each ((Board of County Commissioners)) county legislative authority regarding the condition of all bridges.

AMENDATORY SECTION (Amending Order 11 filed 10-9-69)

WAC 136-20-020 INVENTORY. Each county road engineer shall have available in his office a complete inventory of all bridges and other major drainage structures existing on the county road system. The inventory shall list the location of each such bridge and structure by the state road log number and appropriate milepoint, and shall include such other information as the engineer deems necessary. In addition, all data required for the SWIBS bridge inventory shall be

submitted to the department of transportation state aid engineer on appropriate forms furnished by the department.

AMENDATORY SECTION (Amending Order 11 filed 10-9-69)

WAC 136-20-030 INSPECTION. Each county road engineer shall be responsible for ((conducting an)) inspection of all such bridges and structures on the county road system in accordance with the bridge inspection procedure ((approved and adopted by the Washington State Association of County Engineers and the Washington State Association of Counties in Yakima, on June 20, 1969.)) described in the AASHTO Manual for Maintenance Inspection of Bridges, 1974. He shall note the date of inspection and any changes since the previous inspection on the SWIBS form and submit all such forms to the state aid engineer annually at a predetermined time.

AMENDATORY SECTION (Amending Order 22 filed 4-19-73)

WAC 136-20-040 CERTIFICATION. ((Each county engineer shall certify in writing to the County Road Administration Board no later than June 1 of each odd numbered year that all bridges have been inspected in accordance with the adopted bridge inspection procedures.)) Submission by the county road engineer of a dated SWIBS form to the state aid engineer shall be construed as certification that inspection of that bridge has been completed in accordance with the AASHTO inspection procedures. Annually, prior to April 1, the state aid engineer shall report to CRAB on the status of each county's bridge inspection effort relative to the established procedures. Such report shall show whether or not each county is in compliance with the required inspection procedure.

AMENDATORY SECTION (Amending Order 11 filed 10-9-69)

WAC 136-20-050 FAILURE TO COMPLY. Failure of a county ((engineer to certify that)) to be shown in compliance with required bridge inspection procedures may ((have been followed shall)) be cause for the County Road Administration Board to withhold a Certificate of Good Practice on behalf of that county.

AMENDATORY SECTION (Amending Order 28 filed 5-4-76)

WAC 136-20-060 ENGINEER'S REPORT. Each county road engineer shall furnish his ((Board of Commissioners)) legislative authority with a written resume of the findings of the bridge inspection effort. This resume shall be made available to ((said Board)) said authority no later than June 1 of each year and shall be consulted ((together with the roads priority array)) during the preparation of the proposed six year program revision. The resume shall include the engineer's recommendations as to replacement, repair or load restriction ((on)) for each deficient bridge. The resolution of adoption of the six year program shall include assurances to the effect that the engineer's report with respect to deficient bridges was available to the ((the Board)) said authority during the preparation of the program.

Reviser's Note: The typographical errors in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

WSR 78-09-117

PROPOSED RULES

COUNTY ROAD ADMINISTRATION BOARD

[Filed September 6, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the County Road Administration Board intends to adopt, amend, or repeal rules concerning the administration of county constructed projects, amending WAC 136-18-020, 136-18-030, 136-18-040, 136-18-050, 136-18-060 and 136-18-070;

that such agency will at 11:00 a.m., Friday, October 20, 1978, in the Townhouse Plaza, Yakima, Washington, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 11:00, Friday, October 20, 1978, in the Townhouse Plaza, Yakima, Washington.

The authority under which these rules are proposed is chapter 36.78 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to October 18, 1978, and/or orally at 11:00 a.m., Friday, October 20, 1978, Townhouse Plaza, Yakima, Washington.

This notice is connected to and continues the matter noticed in Notice No. WSR 78-06-093 filed with the code reviser's office on June 5, 1978.

Dated: September 6, 1978

By: Ernest Geissler
Director

AMENDATORY SECTION (Amending Order 27, filed 1-27-76)

WAC 136-18-020 DEFINITIONS. For purposes of implementing the requirements of RCW, the following definitions shall apply:

- (1) Construction - ((includes all activities listed in the account definitions in the BARS Manual under account numbers 541.30, 541.40, 541.50, 541.60, 541.70 and 541.80.)) the building of a new road or street facility, or reconstruction and betterment on an existing facility to a higher geometric or structural standard by the performance of work listed in the definitions in the BARS manual.
- (2) Estimated ((€))construction costs - ((the estimated or actual cost associated with completion of each of the activities defined in subsection (1).)) the county road engineer's estimate of the cost of contemplated construction work.
- (3) ((Day labor - any construction activity performed by a county road department by means other than by contract as specified in RCW 36.77.020 through 040.)) County road project (CRP) - construction work designed by the county road engineer on a new or existing facility and authorized by action of the county legislative authority.
- (4) ((Project - any combination of construction activities as defined herein whose completion will result in a facility capable of accommodating normal traffic.)) Day labor county road project - a county road project having an estimated construction cost less than the statutory day labor limit, which the county legislative authority determines should be performed by day labor construction.
- (5) ((Staging - the construction of a project by day labor by division thereof into units of work or classes of work.)) Authorization date - the date of the legislative authority's resolution authorizing a county road project.
- (6) Start of construction - the date that construction work commences.
- (7) Day labor construction - construction performed by personnel carried on the county payroll using county owned, leased or rented equipment, as opposed to a call for bids and award of contract.
- (8) Day labor county road project types - for purposes of this regulation four project types are identified relative to BARS manual definitions as follows:
 - Type I Roadway construction - includes clearing, grading, drainage, base, gravel surfacing, traffic and pedestrian services (except street lighting and electrical traffic control devices), roadside development and ancillary operations.
 - Type II - High type surfacing - includes surfaces of light bituminous, road mix, travel plant mix, pug mill mix, hot plant mix and concrete.
 - Type III - Structures - includes bridges over 20 feet in length; tunnels, sea walls, and irrigation canal and livestock crossings.

- Type IV – Street lighting and electrical traffic control devices.
- (9) Staging – the division of any county road day labor project into units of work or classes of work.
- (10) True and complete construction costs – the accounting record of all costs attributed to a county road project from the authorization date to the completion date.
- (11) Completion date – the date on which county road project is closed in the accounting records.

AMENDATORY SECTION (Amending Order 27, filed 12-2-75)

WAC 136-18-030 ((PROGRAMMING PROCEDURES)) AUTHORIZATION OF PROJECTS. Every proposed ((construction)) day labor county road project shall be a part of the county's annual construction program as defined in RCW 36.81.130 and WAC 136-16-020. Additions to the program, and/or substitutions in the program, may be made by unanimous action of the ((Board of County Commissioners)) county legislative authority at any time as provided in RCW 36.81.130. No construction work shall be done on any project until it has been authorized by resolution of said ((Board)) authority. The resolution shall include (a) a brief description of the project, (b) a vicinity map showing the location of the project and its limits, provided that in lieu of individual vicinity maps, a single vicinity map showing the location of all projects may be included with the resolution adopting the annual program, (c) identification of the project in terms of the officially adopted annual program, (d) ((an)) the county road engineer's estimate of construction costs prepared pursuant to the completion of such preliminary engineering and construction plans as shall be necessary and sufficient.

AMENDATORY SECTION (Amending Order 27, filed 12-2-75)

WAC 136-18-040 LOCATION OF PROJECTS. ((Once a day labor project has been authorized by resolution of the Board of County Commissioners as herein provided no additional day labor project of a similar nature whose project limits fall within one mile of the original project and on the same road shall be authorized during the same calendar year, if the combined work would exceed the statutory limit:)) Once construction has started on a day labor county road project, construction shall not be started on an additional day labor county road project on the same road within one mile of the original project limits and within the succeeding 12 months; unless the additional project is not of the same type, or unless the total cost of any one type of construction does not exceed the statutory day labor limit.

Reviser's Note: The typographical errors in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending Order 27, filed 12-2-75)

WAC 136-18-050 CONSTRUCTION LIMITATIONS. Day labor county road projects shall be limited to construction projects that can be completed ((and opened to traffic)) within 12 months of the date ((that they are initiated:)) of start of construction. Any construction work of ((a similar nature)) the same type done within the project limits during that period shall be considered as part of the day labor county road project and shall be charged accordingly. Staging of any work within the project limits to circumvent the day labor limitation shall be prohibited.

Reviser's Note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION (Amending Order 27, filed 12-2-75)

WAC 136-18-060 PROJECT RECORDS. All project cost records shall be kept in the manner prescribed by the BARS Manual. Records of quantities shall be kept in a manner consistent with original project estimates. The project records shall contain, but shall not be limited to, the following: (a) dated authorizing resolution, (b) vicinity map showing project location and limits, (c) county road engineer's estimate, (d) affidavit of preconstruction publication required by RCW 36.77.070, (e) documentation of start and end of construction dates, (f) affidavit of post-construction publication showing true and complete cost of construction.

AMENDATORY SECTION (Amending Order 27, filed 12-2-75)

WAC 136-18-070 RECORDS TO CRAB. Each county engineer shall submit to CRAB a copy of each resolution ((initiating)) authorizing a day labor ((construction)) county road project whose estimated construction cost exceeds 75 per cent of the day labor limit. Upon completion of each of these projects, or no later than March 1 of the succeeding year, the county engineer shall furnish to CRAB a copy of the record of ((actual)) true and complete construction costs. On any project where ((actual)) true and complete construction costs have exceeded the statutory day labor limit, the engineer shall also provide to CRAB an explanation of the circumstances resulting in such over-expenditure.

WSR 78-09-118
NOTICE OF PUBLIC MEETINGS
PLANNING AND COMMUNITY AFFAIRS AGENCY
 [Memorandum, Director—August 30, 1978]

Head Start Advisory Council

The State Head Start Advisory Council will meet on November 14, 1978, at 9:00 a.m. at the Sea-Tac Hyatt House. For further information, contact Juanita Davis, Office of Economic Opportunity, Planning and Community Affairs Agency, Olympia, Washington 98504, (206) 753-4454.

WSR 78-09-119
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF ECOLOGY
 [Memorandum—September 6, 1978]

NOTICE OF PUBLIC HEARING

The Washington State Department of Ecology gives notice of public hearings to receive public comment on its proposed 208 Water Quality Management Plan for Irrigated Agriculture. The hearings are in accordance with Section 208, Clean Water Act of 1977 (PL 95-217). The proposal is scheduled for submittal to the Governor for certification following the public hearings.

The four public hearings to receive comments on the proposed plan will be held as follows:

Monday, October 30 at 7:30 p.m. Yakima County Courthouse, Room 231 Corner of First and "B" Street Yakima	Thursday, November 2 at 7:30 p.m. Hallmark Inn 3000 W. Marina Drive Moses Lake
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Wednesday, November 1 at 7:30 p.m. Franklin County PUD 1411 West Clark Pasco	Monday, November 6 at 7:30 p.m. Port of Seattle Pier 66 Auditorium Seattle
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Copies of the proposed Water Quality Management Plan Hearing Document are available at the following Department of Ecology headquarters and regional offices:

Department of Ecology
Headquarters Office
St. Martin's Campus
Olympia, Washington 98504

Department of Ecology
Southwest Regional Office
7272 Cleanwater Lane
Tumwater, Washington 98504

Department of Ecology
Northwest Regional Office
4350 – 150th Avenue NE

Department of Ecology
Central Regional Office
Environmental Quality Section

Redmond, Washington 98052

2015 South First Street
Yakima, Washington 98903Department of Ecology
Eastern Regional Office
East 103 Indiana
Spokane, Washington 99207

Further information regarding this proposal may be obtained by contacting Tom Halbach, Department of Ecology Headquarters Office, telephone (206) 753-3892.

People unable to attend the hearings but wishing to comment should forward written statements to the Department of Ecology, Attn: Hearing Officer, Olympia, WA 98504 prior to October 30, 1978 for inclusion in the record at the hearings. The record of the hearings will remain open for written statements until November 13, 1978.

WSR 78-09-120**PROPOSED RULES****DEPARTMENT OF NATURAL RESOURCES**

[Filed September 6, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Natural Resources intends to adopt rules concerning geothermal resources drilling and completion practices in accordance with chapter 79.76 RCW;

that such agency will at 1:30 p.m., Tuesday, October 31, 1978, in the Conference Room, General Administration Building, Olympia, WA, conduct a hearing relative thereto;

and that the adoption of such rules will take place at 10:00 a.m., Wednesday, November 14, 1978.

The authority under which these rules are proposed is RCW 79.76.050(2).

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to November 7, 1978, and/or orally at 1:30 p.m., Tuesday, October 31, 1978, Conference Room, General Administration Building, Olympia, WA.

Dated: September 6, 1978

By: Bert L. Cole
Commissioner of Public Lands

Chapter 332-17

GEOTHERMAL DRILLING RULES AND REGULATIONS**NEW SECTION**

WAC 332-17-010 INSPECTION. The department shall inspect all geothermal operations for the purpose of obtaining compliance with the rules, regulations, and orders promulgated by authority of the Geothermal Resources Act, chapter 43, Laws of 1974 ex. sess.

NEW SECTION

WAC 332-17-020 GENERAL RULES. General rules shall be statewide in application unless otherwise specifically stated and shall be applicable to all lands within the jurisdiction of the state of Washington.

NEW SECTION

WAC 332-17-030 SUPREMACY OF SPECIAL RULES AND ORDERS. Special rules and orders will be issued as required and shall prevail as against general rules if in conflict therewith.

NEW SECTION

WAC 332-17-100 APPLICATION FOR PERMIT TO COMMENCE DRILLING, REDRILLING OR DEEPENING. (1) The owner or operator of any well, or proposed well, before commencing the drilling, redrilling, or deepening of any wells shall file with the department a written application in triplicate of the intention to commence such drilling, redrilling or deepening accompanied by a fee of two hundred dollars as prescribed in RCW 79.76.070, except no fee is required for the drilling of core holes. The application shall be on forms as prescribed by the department and contain the following:

- (a) The name of operator or company and address.
 - (b) Description of the lease or property including acres together with the name and address of the owner or owners of surface and mineral rights.
 - (c) The proposed location of the well or wells including a layout showing the position of mud tanks, reserve pits, cooling towers, pipe racks, etc.
 - (d) Existing and planned access and lateral roads.
 - (e) Location and source of water supply and road building material.
 - (f) Location of supporting facilities.
 - (g) Other areas of potential surface disturbances.
 - (h) The topographic features of the land, including drainage patterns.
 - (i) Methods for disposing of waste materials.
 - (j) The proposed drilling and casing plan.
 - (k) A surveyed plat showing the surface and expected bottom-hole locations and the distances from the nearest section or tract lines as shown on the official plat of survey or protracted surveys of each well or wells. The scale shall not be less than 1:24,000.
 - (l) A narrative statement describing the proposed measures to be taken for protection of the environment, including, but not limited to, the prevention or control of:
 - (i) fires,
 - (ii) soil erosion,
 - (iii) pollution of surface and ground waters,
 - (iv) damage to fish and wildlife or other natural resources,
 - (v) air and noise pollution, and
 - (vi) hazards to public health and safety during operational activities.
 - (m) Such other pertinent information or data which the department may require to support the application for the development of geothermal resources and the protection of the environment.
- Provisions for monitoring may be required as deemed necessary by the department to ensure compliance with these regulations.
- The collection of data concerning existing air and water quality, noise, seismic and land subsidence activities, and the ecological system of the area may be required as deemed necessary by the department.
- (2) An application for the drilling of core holes shall contain the following:
- (a) Name and address of the operator or company.
 - (b) Name and number, location of the core hole or holes to the nearest quarter-quarter section or lot.
 - (c) Proposed depth of each core hole, but not to exceed 750 feet.
 - (d) A map of sufficient scale to show topography and drainage patterns, access roads, and the proposed core hole locations. A metes and bounds description of each core hole location shall be provided to the department within thirty days of completion of the core hole or the approved core hole program.
 - (e) Well names and numbers shall not be changed without first obtaining the written approval of the department.

NEW SECTION

WAC 332-17-110 CASING REQUIREMENTS AND WELL SPACING. (1) All wells shall be cased to protect or minimize damage to the environment, surface and ground waters, geothermal resources and health and property. The department shall approve proposed well spacing and well casing programs or prescribe such modifications to the programs as the department determines necessary for proper development, giving consideration to such factors as:

- (a) Topographic characteristics of the area.
- (b) Hydrologic, geologic, or reservoir characteristics of the area.
- (c) The number of wells that can be economically drilled to provide the necessary volume of geothermal resources for the intended use.
- (d) Protection of correlative rights.
- (e) Minimizing well interference.
- (f) Unreasonable interference with multiple use of lands.
- (g) Protection of the environment.

(2) Casing specifications shall be established on an individual well basis. The following specifications are general, but should be used as guidelines in submitting drilling permit applications.

(a) Conductor pipe. Annular space shall be cemented solid from the shoe to surface. An annular blowout preventer, or equivalent, remotely controlled hydraulically operated including a drilling spool with side outlets or equivalent may be required by the department. A kill line and blowdown line with appropriate fittings shall be connected to the drilling spool when same is required.

Conductor casing shall be set to a minimum depth of 15 meters (50 feet).

(b) Surface casing. This casing shall be set at a depth equivalent to, or in excess of, ten percent of the proposed depth of the well, provided, however, such depth shall not be less than 60 meters (200 feet) or extend less than 30 meters (100 feet) into bedrock. Surface casing holes shall be logged with an induction electric log, or equivalent, prior to running casing.

(c) Intermediate casing. This casing shall be required whenever anomalous pressure zones, cave-ins, washouts, abnormal temperature zones, uncased fresh water aquifers, uncontrollable lost circulation zones, or other drilling hazards are present or occur, and whenever the surface casing has not been cemented through competent rock units. Intermediate casing strings shall be cemented solid if possible from the shoe to surface. If a liner is used as an intermediate string, the lap shall be tested by a fluid entry or pressure test to determine whether a seal between the liner top and the next casing string has been achieved. The liner overlap shall be a minimum of 30 meters (100 feet). The test shall be recorded in the driller's log and may be witnessed by a representative of the department.

(d) Production casing. This casing may be set above or through the producing or injection zone and cemented above the objective zones. Production casings shall be cemented to the surface or lapped into the intermediate string. Overlap shall not be less than 30 meters (100 feet) and shall be pressure tested. Lap or casing failure shall require repair, recementing, and successful retesting.

(e) Cementing of casing. Conductor and surface casing strings shall be cemented with a quantity of cement sufficient to fill the annular space from the shoe to surface. A high temperature resistant admix shall be used in cementing production casing unless waived by the department, and shall be cemented in a manner necessary to exclude, isolate, or segregate overlying formation fluids from the geothermal resources zone and to prevent the movement of fluids into possible fresh water zones.

A temperature or cement bond log may be required by the department if an unsatisfactory cementing job is indicated.

(f) Pressure testing. Prior to drilling out the casing shoe after cementing, all casing strings set to a depth of 152 meters (500 feet) or less except for conductor casing, shall be pressure tested to a minimum pressure of 35 bars (500 psi). Casing strings set to a depth of 152 meters (500 feet) or greater shall be pressure tested to a minimum pressure of 69 bars (1,000 psi) or 0.045 bars/meter (0.2 psi/ft) whichever is greater. Such test shall not exceed the rated working pressure of the casing or the blowout preventor stack assembly, whichever is lesser.

NEW SECTION

WAC 332-17-120 BLOWOUT PREVENTION. Blowout prevention and related control equipment shall be installed, tested immediately thereafter, and properly maintained ready for use until drilling operations are completed. Certain components, such as packing elements and ram rubbers, shall be of high temperature resistant material as necessary. All kill lines, blowdown lines, manifolds, and fittings shall be steel and have temperature derated minimum working pressure rating equivalent to the maximum anticipated wellhead surface pressure. Unless otherwise specified, blowout prevention equipment shall have manually operated gates and remotely controlled hydraulic actuating systems and accumulators of sufficient capacity to close all of the hydraulically operated equipment and have a minimum pressure of 69 bars (1,000 psi) remaining on the accumulator. Dual control stations shall be installed with a high pressure backup system. One control panel shall be located at the driller's station and one control panel shall be located on the ground at least 15 meters (50 feet) away from the wellhead or rotary table. Blowout prevention assemblies involving the use of air or other gaseous fluid drilling systems may include, but are not limited to, a rotating head, a double ram blowout preventer or equivalent, a banjo-box or an approved substitute therefore and a blind ram blowout preventer or gate valve, respectively. Exceptions to

the requirements of this paragraph will be considered by the department for areas of known surface stability and low subsurface formation pressure and temperatures.

(1) Conductor casing. One remotely controlled hydraulically operated expansion type preventer or acceptable alternative, including a drilling spool with side outlets or equivalent, may be required before drilling below conductor casing.

(2) Surface, intermediate and production casing. Prior to drilling below any of these strings, blowout prevention equipment shall include a minimum of:

(a) One expansion-type preventer and accumulator or a rotating head,

(b) A manual and remotely controlled hydraulically operated double ram blowout preventer or equivalent having a temperature derated minimum working pressure rating which exceeds the maximum anticipated surface pressure at the anticipated reservoir fluid temperature,

(c) A drilling spool with side outlets or equivalent,

(d) A fillup line,

(e) A kill line equipped with at least one valve, and

(f) A blowdown line equipped with at least two valves and securely anchored at all bends and at the end.

(3) Testing and maintenance. Ram-type blowout preventers and auxiliary equipment shall be tested to a minimum of 69 bars (1,000 psi) or to the working pressure of the casing or assembly, whichever is the lesser. Expansion-type blowout preventers shall be tested to 70 percent of the above pressure testing requirements.

(a) The blowout prevention equipment shall be pressure tested:

(i) When installed,

(ii) Prior to drilling out plugs and/or casing shoes,

(iii) Not less than once each week, alternating the control stations, and

(iv) Following repairs that require disconnecting a pressure seal in the assembly.

(b) During drilling operations, blowout prevention equipment shall be actuated to test proper functioning as follows:

(i) Once each trip for blind and pipe rams, but not less than once each day for pipe rams, and

(ii) At least once each week on the drill pipe for expansion-type preventers.

All flange bolts shall be inspected at least weekly and retightened as necessary during drilling operations. The auxiliary control systems shall be inspected daily to check the mechanical condition and effectiveness and to ensure personnel acquaintance with the method of operation. Blowout prevention and auxiliary control equipment shall be cleaned, inspected and repaired, if necessary, prior to installation to assure proper functioning. Blowout prevention controls shall be plainly labeled, and all crew members shall be instructed on the function and operation of such equipment. A blowout prevention drill shall be conducted weekly for each drilling crew. All blowout prevention tests and crew drills shall be recorded on the driller's log.

(4) Related well control equipment. A full opening drill string safety valve in the open position shall be maintained on the rig floor at all times while drilling operations are being conducted. A kelly cock shall be installed between the kelly and the swivel.

NEW SECTION

WAC 332-17-130 DRILLING FLUID. The properties, use and testing of drilling fluids and the conduct of related drilling procedures shall be such as are necessary to prevent the blowout of any well. Sufficient drilling fluid materials to ensure well control shall be maintained in the field area readily accessible for use at all times.

(1) Drilling fluid control. Before pulling drill pipe, the drilling fluid shall be properly conditioned or displaced. The hole shall be kept reasonably full at all times, however, in no event shall the annular mud level be deeper than 30 meters (100 feet) from the rotary table when coming out of the hole with drill pipe. Mud cooling techniques shall be utilized when necessary to maintain mud characteristics for proper well control and hole conditioning.

(2) Drilling fluid testing. Mud testing and treatment consistent with good operating practice shall be performed daily or more frequently as conditions warrant. Mud testing equipment shall be maintained on the drilling rig at all times. The following drilling fluid system monitoring or recording devices shall be installed and operated continuously during drilling operations, with mud, occurring below the shoe of the conductor casing:

(a) High-low level mud pit indicator including a visual and audio-warning device,

(b) Degassers, desilters and desanders.
 (c) A mechanical, electrical, or manual surface drilling fluid temperature monitoring device. The temperature of the drilling fluid going into and coming out of the hole shall be monitored, read, and recorded on the driller's or mud log for a minimum of every 9 meters (30 feet) of hole drilled below the conductor casing, and

(d) A hydrogen sulfide indicator and alarm shall be installed in areas suspected or known to contain hydrogen sulfide gas which may reach levels considered to be dangerous to the health and safety of personnel in the area.

No exceptions to these requirements will be allowed without the specific prior permission of the department.

NEW SECTION

WAC 332-17-140 WELL LOGGING. All wells shall be logged with an induction electric log or equivalent from total depth to the shoe of the conductor casing. The department may grant an exception to this requirement when well conditions make it impractical or impossible to meet the above requirements.

NEW SECTION

WAC 332-17-150 REMOVAL OF CASING. No person shall remove casing or any portion thereof from any well without first obtaining prior written approval from the department. In the request to remove casing, the applicant must describe the condition of the well, the proposed casing to be removed, all casing in the hole, location of plugs, and perforations.

NEW SECTION

WAC 332-17-160 DRILLING BOND. The owner or operator who proposes to drill, redrill, or deepen a well for geothermal resources shall file with the department a good and sufficient bond in the sum of fifteen thousand dollars for each well or a fifty thousand dollar blanket bond for one or more wells being drilled, redrilled, or deepened at any time. The bond shall be filed with the department at the time of filing the application to drill, redrill, or deepen a well or wells. Approval of the bond by the department must be obtained prior to the commencement of drilling, redrilling, or deepening. The bond shall be made payable to the state of Washington, conditioned for performance of the duty to properly:

- (1) Drill all geothermal wells,
- (2) Operate and maintain producing wells, and
- (3) Plug each dry or abandoned well in accordance with applicable rules and regulations of the department.

The bond shall be executed by such owner or operator as principal and by a surety company authorized to do business in the state of Washington as surety, conditioned upon the faithful compliance by the principal with the laws, rules, regulations, and orders under the Geothermal Resources Act and shall secure the state against all losses, charges, and expenses incurred by the state in obtaining such compliance by the principal of the bond.

A single core-hole bond shall be in the sum of five thousand dollars and a blanket core-hole bond shall be in the sum of twenty-five thousand dollars.

NEW SECTION

WAC 332-17-165 CANCELLATION OF BOND. Termination and/or cancellation of any bond will not be permitted until the well, or wells, for which the bond has been issued have been properly abandoned or another valid bond for such well or wells has been submitted therefore and approved by the department. A bond may be cancelled upon transfer of the jurisdiction of the well to and acceptance of jurisdiction by the department of ecology. No bond shall be released until the department in writing shall have authorized such release.

NEW SECTION

WAC 332-17-200 TRANSFER OF JURISDICTION TO DEPARTMENT OF ECOLOGY. Transfer of jurisdiction over a well to the department of ecology may be permitted provided it has been established that it is not technologically practical to produce electricity commercially or usable minerals cannot be derived from the well and provided, further, the department of ecology has by affidavit indicated its willingness to assume such responsibility. Transfer of such jurisdiction will relieve the owner or operator of further compliance with the

provisions of the Geothermal Resources Act and these rules and regulations, however, the owner or operator shall be subject to applicable laws and regulations relating to wells drilled for appropriation and use of ground waters.

NEW SECTION

WAC 332-17-300 PROPER COMPLETION AND ABANDONMENT. Completion and abandonment of any well or wells shall be conditioned upon implementation of adequate procedures to protect the environmental and esthetic qualities of the drill site, access roads, and other areas that were disturbed as a result of drilling or related operations.

(1) Completion. For the purposes of the Geothermal Resources Act and these rules and regulations, a well will be considered as properly completed when drilling has been completed and a production head has been installed on the well pending actual utilization in the production of geothermal resources as defined in this act. Suspension of a well after completion and prior to actual production shall not exceed 6 months duration unless approved in writing by the department.

(2) Abandonment. A well shall be properly abandoned for the purposes of this act when:

- (a) Drilling, redrilling, or deepening operations have ceased;
- (b) Geothermal resources cannot be produced from the well;
- (c) The well no longer commercially produces geothermal resources;
- (d) Proper cement plugs have been placed by the owner or operator and approved by the department;

(e) The owner or operator has taken all appropriate steps to protect surface and ground waters and prevent the escape of deleterious substances to the surface.

(3) Site restoration. Cellars, pads, structures, and other facilities shall be removed. All drilling supplies and scrap shall be removed. The surface shall be graded and revegetated as appropriate to the immediate area or as otherwise specified by the department.

NEW SECTION

WAC 332-17-310 ABANDONMENT PROCEDURES. No well shall be plugged and abandoned until the manner and method of plugging have been approved or prescribed by the department. The owner or operator shall give notice to the department of the intention to abandon the well and the date and time abandonment procedures will commence.

(1) The notice shall specify the condition of the well and the proposed method of abandonment. The owner or operator shall furnish such additional information concerning the well condition and abandonment procedures as may be required by the department.

(2) The owner or operator shall within twenty-four hours after giving notice of intent to abandon provide the department with a written notice setting forth the proposed abandonment procedures and the condition of the well.

(3) All wells to be abandoned shall have cement plugs placed in the well as prescribed herein. Such cement shall consist of a high temperature resistant admix unless waived by the department in accordance with the particular circumstances existing in the well.

(a) Cased holes.

(i) A cement plug shall be placed across all perforations in the casing, extending 30 meters (100 feet) below and 30 meters (100 feet) above the perforated interval.

(ii) A cement plug shall be placed across all casing stubs, laps, and liner tops, extending a minimum of 15 meters (50 feet) below and 15 meters (50 feet) above such stub, lap, or liner top.

(iii) Casing shoes shall be straddled by a cement plug with a minimum of 30 meters (100 feet) below and 30 meters (100 feet) above the shoe.

(iv) All annular space open to the surface shall be filled with cement to the surface.

(v) All casing exposed to the surface shall be cut off 6 feet below ground surface unless otherwise designated by the department.

(vi) A surface plug shall be placed in the casing extending for a minimum of 10 meters (30 feet) below the approved cut off top of the casing. The casing shall be capped by welding a steel plate on the casing stub.

(b) Open holes. Cement plugs shall be placed to cover fresh water zones, geothermal resource zones, to isolate formations, and to prevent interformational migration or contamination of fluids. Such plugs shall extend a minimum of 30 meters (100 feet) above all such zones.

(4) All intervals between plugs shall be filled with drilling mud.

(5) Within thirty days after plugging a well the owner or operator shall file an affidavit with the department setting forth in detail the method used in plugging the well and restoring the site. The affidavit shall be made on a form supplied by the department.

NEW SECTION

WAC 332-17-320 SUSPENSION. Drilling equipment shall not be removed from any well where drilling operations have been suspended before adequate measures have been taken to close the well and protect the surface and subsurface resources including fresh water aquifers. A suspended well shall be mudded and cemented as set forth in WAC 332-17-310 of these rules and regulations or as otherwise approved by the department except that WAC 332-17-310(3)(a)(iv)-(vi) will not be required.

NEW SECTION

WAC 332-17-340 NOTICE OF CHANGE OF OWNERSHIP. Every person who acquires the right of ownership or right of operation of a geothermal well or wells shall within ten days notify the department in writing of the newly acquired ownership or right of operation and provide a bond equivalent to the bond supplied by the prior owner or operator. Each notice shall contain the following:

- (1) Name, address, and signature of the person from whom the well or land was acquired;
- (2) Name and location of such well or wells;
- (3) Date of acquisition; and
- (4) Description of the land upon which such well or wells is situated.

NEW SECTION

WAC 332-17-400 RECORDS. The owner or operator of any well or wells shall keep or cause to be kept careful and accurate logs, core records, and history of the drilling of the well. The logs and tour reports shall be kept in the local office of the owner or operator and shall be subject during business hours to inspection by the department except during casing or abandonment operations when appropriate logs will be available at the well site.

Records that shall be filed with the department as set forth in RCW 79.76.210 are:

(1) The drilling log and core record showing the lithologic characteristics and depths of formations encountered, and the depths and temperatures of water-bearing and steam-bearing strata, and the temperature, chemical compositions, and other chemical and physical characteristics of fluids encountered. Core records shall show the depth, lithologic character, and the fluid content of cores obtained.

(2) The well history shall describe in detail in chronological order on a daily basis all significant operations carried out and equipment used during all phases of drilling, testing, completion, recompletion, and abandonment of the well.

(3) The well summary report shall accompany the drilling logs and well history report. It shall show the spud date, completion date, abandonment date, casing summary, fresh water zones, producing zones, total depth, well location, tops of formations penetrated and bottom hole temperature.

(4) Production records shall be submitted monthly to the department on or before the 10th of each month for the preceding month on a form approved by the department.

(5) Electric logs, directional logs, physical or chemical logs, tests, water analysis, surveys including temperature surveys, and such other logs or surveys as may be run.

(6) A set of ditch samples if taken at not less than 30 meters (100 feet) intervals.

NEW SECTION

WAC 332-17-410 VERTICAL AND DIRECTIONAL WELLS. Deviation surveys shall be taken on all wells during the normal course of drilling at intervals not to exceed 152 meters (500 feet). The department may require a directional survey giving both inclination and azimuth or a dipmeter to be obtained on all wells. In calculating all surveys, a correction from true north to Lambert-Grid north shall be made after making the magnetic to true north correction. All surveys shall be filed with department as set forth in WAC 332-17-400. Wells are considered to be directional if inclination from vertical exceeds an average of five degrees. In directional wells directional surveys shall be obtained at intervals not to exceed 30 meters (100 feet) prior to, or

upon setting any casing string or lines (except conductor casing) and total depth.

NEW SECTION

WAC 332-17-420 DEPARTMENT TO WITNESS TESTS. Sufficient notice shall be given in advance to the department of the date and time when the owner or operator expects to run casing, test casing, conduct a drill stem test, or log a well in order that the department may have a representative on the drill site as a witness.

NEW SECTION

WAC 332-17-430 WELL DESIGNATION. The owner or operator shall place in a conspicuous location near the well site a sign setting forth the name of the owner or operator, lease name, well number, permit number, and the quarter-quarter section or lot, township, and range of the well location. Such well designation shall maintained until the well has been abandoned.

NEW SECTION

WAC 332-17-440 WELL SPACING. The department will approve proposed well spacing programs or prescribe such modifications to the programs as it determines necessary for proper development, giving consideration to such factors as:

- (1) Topography of the area;
- (2) Geologic conditions of the reservoir;
- (3) Minimum number of wells required for adequate development; and
- (4) Protection of environment.

NEW SECTION

WAC 332-17-450 RIGHT OF ENTRY. Department representatives shall have the right to enter upon any lands and examine such records related to the drilling, redrilling, deepening, or the completion, or the abandonment of, or production from any geothermal well to ensure compliance with the Geothermal Resources Act and these rules. Any owner or operator who denies the right of entry of a department representative or willfully hinders or delays the enforcement of the provisions of the act and these rules or who otherwise violates, fails, neglects, or refuses to comply with any of the provisions of the act or these rules will be subject to the penalties as set forth in RCW 79.76.260.

NEW SECTION

WAC 332-17-460 PITS OR SUMPS. The owner or operator shall provide pits and/or sumps of adequate capacity and design to retain all fluids and materials necessary to the drilling, production, and related operations on the well. No contents of pits and/or sumps shall be allowed to:

- (1) Contaminate streams, artificial canals, waterways, ground waters, lakes, or rivers;
- (2) Adversely affect the environment, persons, plants, and wildlife; and
- (3) Adversely affect esthetic values of the property or adjacent properties.

When pits and/or sumps are no longer needed, they shall be pumped out and the contents disposed of in approved disposal sites unless otherwise approved by the department.

WSR 78-09-121 PROPOSED RULES BOARD OF HEALTH

[Filed September 6, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the State Board of Health intends to adopt, amend, or repeal rules concerning the repeal of:

- WAC 248-102-030 Panel of consultants appointed.
WAC 248-102-040 Establishment of diagnosis.

- WAC 248-102-050** Eligibility for financial support for treatment and follow up care.
- WAC 248-102-060** Financial support, services and facilities not compulsory.

The proposed repeal deletes four sections of chapter 248-102 WAC, relating to phenylketonuria because they are obsolete and in some cases conflict with the word or intent of RCW 70.83.020 and paragraphs 248-102-020 and 248-102-070 of the most recent version;

that such agency will at 10:00 a.m., Wednesday, November 1, 1978, in the South Auditorium, Federal Building, 915 2nd Avenue, Seattle, WA, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 10:00 a.m., Wednesday, November 1, 1978, in the South Auditorium, Federal Building, 915 2nd Avenue, Seattle, WA.

The authority under which these rules are proposed is RCW 70.83.050.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to November 1, 1978, and/or orally at 10:00 a.m., Wednesday, November 1, 1978, South Auditorium, Federal Building, 915 2nd Avenue, Seattle, WA.

This notice is connected to and continues the matter noticed in Notice No. WSR 78-07-081 filed with the code reviser's office on July 5, 1978.

Dated: September 6, 1978

By: John A. Beare, M.D.

Secretary

WSR 78-09-122
PROPOSED RULES
BOARD OF HEALTH
[Filed September 6, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the State Board of Health intends to adopt, amend, or repeal rules relating to new and existing migrant labor housing, repealing chapter 248-61 WAC;

that such agency will at 10:00 a.m., Wednesday, November 1, 1978, in the South Auditorium, Federal Building, 915 2nd Ave., Seattle, WA, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 10:00 a.m., Wednesday, November 1, 1978, in the South Auditorium, Federal Building, 915 2nd Ave., Seattle, WA.

The authority under which these rules are proposed is RCW 43.20.050.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to November 1, 1978, and/or orally at 10:00 a.m., Wednesday, November 1, 1978, South Auditorium, Federal Building, 915 2nd Ave., Seattle, WA.

Dated: September 6, 1978

By: John A. Beare, M.D.

Secretary

REPEALER

The following sections of Washington Administrative Code are hereby repealed:

- | | |
|----------------------------|--|
| (1) <u>WAC 248-61-001</u> | PURPOSE. |
| (2) <u>WAC 248-61-010</u> | DEFINITIONS. |
| (3) <u>WAC 248-61-015</u> | PLAN OF IMPLEMENTATION. |
| (4) <u>WAC 248-61-020</u> | ADMINISTRATION. |
| (5) <u>WAC 248-61-030</u> | WATER SUPPLY. |
| (6) <u>WAC 248-61-040</u> | SEWAGE AND LIQUID WASTE DISPOSAL. |
| (7) <u>WAC 248-61-050</u> | PLUMBING. |
| (8) <u>WAC 248-61-060</u> | REFUSE DISPOSAL. |
| (9) <u>WAC 248-61-070</u> | RODENT AND INSECT CONTROL. |
| (10) <u>WAC 248-61-080</u> | LOCATION AND MAINTENANCE. |
| (11) <u>WAC 248-61-090</u> | CONSTRUCTION AND MAINTENANCE OF DWELLING UNITS. |
| (12) <u>WAC 248-61-100</u> | HEATING. |
| (13) <u>WAC 248-61-110</u> | LIGHTING. |
| (14) <u>WAC 248-61-120</u> | TOILET, HANDWASHING, BATHING AND LAUNDRY FACILITIES. |
| (15) <u>WAC 248-61-130</u> | FOODHANDLING FACILITIES. |
| (16) <u>WAC 248-61-140</u> | BEDS AND BEDDING. |
| (17) <u>WAC 248-61-150</u> | FIRE AND SAFETY PROVISIONS. |
| (18) <u>WAC 248-61-160</u> | SUPERVISION AND RESPONSIBILITY. |
| (19) <u>WAC 248-61-170</u> | COMMUNICABLE DISEASE. |
| (20) <u>WAC 248-61-180</u> | EXEMPTIONS. |

WSR 78-09-123
PROPOSED RULES
BOARD OF HEALTH
[Filed September 6, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the State Board of Health intends to adopt, amend, or repeal rules relating to new and existing migrant labor housing, repealing chapter 248-60A WAC;

that such agency will at 10:00 a.m., Wednesday, November 1, 1978, in the South Auditorium, Federal Building, 915 2nd Avenue, Seattle, WA, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 10:00 a.m., Wednesday, November 1, 1978, in the South Auditorium, Federal Building, 915 2nd Avenue, Seattle, WA.

The authority under which these rules are proposed is RCW 43.20.050.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to November 1, 1978, and/or orally at 10:00 a.m., Wednesday, November 1, 1978, South Auditorium, Federal Building, 915 2nd Avenue, Seattle, WA.

Dated: September 6, 1978
By: John A. Beare, M.D.
Secretary

REPEALER

The following sections of Washington Administrative Code are hereby repealed:

- | | |
|----------------------------|-----------------|
| (1) <u>WAC 248-60A-010</u> | DEFINITION. |
| (2) <u>WAC 248-60A-020</u> | ADMINISTRATION. |
| (3) <u>WAC 248-60A-030</u> | WATER SUPPLY. |

- (4) WAC 248-60A-040 SEWAGE AND LIQUID WASTE DISPOSAL—EXISTING AND NEW CONSTRUCTION.
- (5) WAC 248-60A-050 PLUMBING.
- (6) WAC 248-60A-060 REFUSE DISPOSAL.
- (7) WAC 248-60A-070 RODENT AND INSECT CONTROL.
- (8) WAC 248-60A-080 LOCATION AND MAINTENANCE.
- (9) WAC 248-60A-090 CONSTRUCTION AND MAINTENANCE OF DWELLING UNITS.
- (10) WAC 248-60A-100 HEATING.
- (11) WAC 248-60A-110 LIGHTING.
- (12) WAC 248-60A-120 TOILET, HANDWASHING, BATHING AND LAUNDRY FACILITIES.
- (13) WAC 248-60A-130 FOODHANDLING FACILITIES.
- (14) WAC 248-60A-140 BEDS AND BEDDING.
- (15) WAC 248-60A-150 FIRE AND SAFETY PROVISIONS.
- (16) WAC 248-60A-160 SUPERVISION AND RESPONSIBILITY.
- (17) WAC 248-60A-170 COMMUNICABLE DISEASE.

**WSR 78-09-124
PROPOSED RULES
DEPARTMENT OF LICENSING**

[Filed September 6, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Director, Department of Licensing intends to adopt, amend, or repeal rules concerning real estate education and licensing. (A copy of the proposed regulations are attached hereto; however, changes may be made at the public hearing.);

that such agency will at 1:00 p.m., Tuesday, October 17, 1978, in the Phoenix D Room, Hyatt House, 17001 Pacific Highway South, Seattle, WA, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 1:00 p.m., Tuesday, October 17, 1978, in the Phoenix D Room, Hyatt House, 17001 Pacific Highway South, Seattle, WA.

The authority under which these rules are proposed is RCW 18.85.040.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to October 17, 1978, and/or orally at 1:00 p.m., Tuesday, October 17, 1978, Phoenix D Room, Hyatt House, 17001 Pacific Highway South, Seattle, WA.

Dated: September 5, 1978
By: John H. Keith
Assistant Attorney General

AMENDATORY SECTION (Amending Order RE 120, filed 9-20-77)

WAC 308-124-021 DEFINITIONS. ((+)) "Actual experience as a full time real estate ((salesman)) salesperson" under the provisions of RCW 18.85.090 shall not include activities as a land development representative or temporary salesperson permit under the provisions of chapter 18.85 RCW.

AMENDATORY SECTION (Amending Order RE 120, filed 9-20-77)

WAC 308-124A-010 CREDIT AND CHARACTER REPORT. (1) Any person making application for registration as a land development representative pursuant to chapter 18.85 RCW, must as an integral part of the application, supply the director with satisfactory proof of applicant's identification, character and credit rating. Proof of credit and character rating shall be obtained and attested by the employing broker upon a form to be provided by the real estate division.

(2) Any person making application for a real estate broker's license ((examination)) must as an integral part of the application, supply the director with satisfactory proof of applicant's character and credit rating. Such proof shall be obtained and provided by a recognized credit reporting agency (credit bureau) in a form approved by the real estate division.

AMENDATORY SECTION (Amending Order RE 116, filed 4-30-76)

WAC 308-124H-010 APPROVAL OF REAL ESTATE COURSES TO SATISFY CLOCK HOUR REQUIREMENTS. RCW 18.85.090 and RCW 18.85.095 set forth requirements that applicants for ((licenses-as)) real estate broker's license examinations and/or second renewal of real estate ((salesmen)) salesperson's licenses furnish proof to the director that they have completed a specified number of clock hours of instruction in real estate education. ((To satisfy this requirement, the applicant must submit evidence of successful completion of courses approved by the director. Such courses may be submitted to the director for advance approval in accordance with the procedures set forth in these regulations.))

Reviser's Note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION (Amending Order RE 116, filed 4-30-76)

WAC 308-124H-020 ADMINISTRATION. (1) Each application from a ((private)) proprietary school, individual, association or agency seeking approval or consideration of courses shall designate one person responsible for the real estate course to be conducted.

(2) Such person shall file with the real estate administrator, ((letters from employers)) documented proof showing previous experience in educational administration or supervision ((or other activities)) related to ((education, and possessing experience in)) the area of real estate which that person ((or his instructor)) proposes to offer ((or teach)).

(3) In the case of a public community college, university, or vocational technical school, the head of the real estate department shall be conclusively presumed to meet the foregoing requirements. Any proprietary school, individual, association or agency requesting approval or consideration of courses shall not apply to itself, either as part of its name or in any manner, the designation of "college" or "university", unless it, in fact, meets the standards and qualifications and has been approved as such by the state agency having jurisdiction.

AMENDATORY SECTION (Amending Order RE 116, filed 4-30-76)

WAC 308-124H-030 FILING OF COURSES. Each proprietary school, individual, association or agency seeking approval of courses, must file on a form provided by the director, along with its application for approval, an outline of each course to be taught, a representative bibliographical listing of the text books and materials to be used, and the amount of actual classroom or clock hours in each course. Courses must meet the following:

(1) Each course must include at least one text book that is in general circulation (published by other than the proprietary school, individual, association or agency seeking course approval). If no text book is in general circulation, other material may be submitted for approval.

(2) Each course must add to the practical knowledge of the real estate ((business)) profession.

(3) A statement must accompany the application showing the applicant's reason for justification and need for approval of the course(s). The director, ((with the advice of)) after recommendations by the real estate commission, may deny a course of instruction which, in ((this))

the opinion of the director, does not ((demonstrate sufficient)) meet the needs ((or interest to)) of the majority of licensees.

(4) Each course must deal with substantive real estate subject matter such as, but not limited to, legal aspects of real estate, real estate principles and practices, real estate finance, appraising, deposit receipts and earnest money agreements. General sales motivation courses will not qualify.

((5) Each course presented must be of the level equivalent of "institutions of higher learning".))

((6)) (5) Each course must require ((an)) a final examination and a final grade.

((7)) (6) It ((will)) shall be the responsibility of the proprietary school, individual, association or agency to furnish each student with a ((copy of his or her grade card, transcript or certificate of completion)) grade report or transcript showing name of course, final grade, number of clock hours earned, and beginning and ending dates of course attended.

((8)) (7) Each course must require a minimum of thirty hours of classroom work for the student. A classroom hour is a period of fifty minutes of actual classroom or workshop instruction. The time allotted for examinations shall not be applicable towards the minimum hours of course study.

Upon approval of a course or courses, each proprietary school, individual, association or agency shall, for a period of six years, establish and maintain for each student a complete, accurate and detailed record which shall include the student's attendance, total number of hours of instruction undertaken, completed areas of study in real estate subjects prescribed by these regulations.

Upon request, a copy of these records shall be made available to the director for purposes of determining whether students have met the provisions of RCW 18.85.090 and/or 18.85.095.

AMENDATORY SECTION (Amending Order RE 116, filed 4-30-76)

WAC 308-124H-040 APPROVAL OF COURSES. ((At a regular meeting of the real estate commission, applications will be reviewed for recommendations to the director that he approve or disapprove courses:)) Each proprietary school, individual, association or agency seeking approval of a course or courses shall be required to file their application, on forms provided by the director, with the real estate administrator at least thirty days prior to the date of a regular meeting of the real estate commission, at which time applications will be reviewed by the commission for recommendation to the director for consideration of approval or disapproval.

Public community colleges, vocational-technical schools or universities shall not be required to submit course outlines for the following courses which have received prior approval: Advanced real estate escrow, principles and practices of real estate, principles of real estate escrow, real estate advanced appraising, real estate advanced law, real estate advanced sales practices, real estate appraising, real estate finance, real estate law, real estate office administration, real estate professional practices, real estate property management, and real estate sales practices.

Public community colleges, vocational-technical schools or universities seeking approval of courses other than the aforementioned shall be required to meet the provisions set forth in WAC 308-124H-030.

Upon approval or disapproval of a course or courses, ((a letter of approval will be executed by the real estate administrator)) the applicant will be so advised in writing by the director.

Any changes in course content, material, ((subject matter,)) instructors ((or)), directors, ((or)) ownership ((of schools)) or location of schools must be ((supplied)) submitted to the administrator within twenty days from date of such change for referral to the director and real estate commission for consideration ((for)) of continued approval.

Approval obtained prior to the effective date of these ((guidelines)) amended regulations shall expire on December 1, ((1976)) 1978. Subsequent approval and renewals shall expire on December 1 of each year thereafter.

AMENDATORY SECTION (Amending Order RE 116, filed 4-30-76)

WAC 308-124H-050 RENEWAL APPLICATIONS. Renewal applications must be filed with the real estate administrator not later than November 1. All courses will be reviewed ((on need, presentation and material)) for compliance with WAC 308-124H-030 before continuing approval may be considered.

NEW SECTION

WAC 308-124H-055 BROKER REAL ESTATE EDUCATION REQUIREMENTS. (1) The ninety clock hours of real estate education requirement for applicants for the real estate broker's examination shall be in addition to the thirty clock hours for salesperson renewal.

(2) After July 1, 1979, all applicants for a broker's license must have taken sixty hours of real estate education specifically for broker qualification by completing a Fundamentals of Real Estate Brokerage course approved by the director.

(3) The Fundamentals of Real Estate Brokerage course shall include, but not be limited to, office management, legal responsibility financing, record keeping, contracts and supervision of sales associates.

AMENDATORY SECTION (Amending Order RE 118, filed 7-6-76)

WAC 308-124H-060 TEACHERS AND/OR INSTRUCTORS. Each course of instruction herein ((provided)) being considered for approval shall be under the supervision of ((an)) a qualified teacher and/or instructor who shall be present in the classroom at all sessions.

Any teacher or instructor must demonstrate competency in field of real estate they propose to teach. Such person shall also possess a minimum of two years of experience in the area of real estate which that person proposes to teach.

Guest instructors shall not occupy more than twenty-five percent of any given subject.

Reviser's Note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION (Amending Order RE 116, filed 4-30-76)

WAC 308-124H-070 COMPLETION OF COURSES. (1) To satisfy the requirement of having received clock hours of instruction in real estate, an applicant must submit proof of satisfactory completion of courses which have been approved pursuant to WAC 308-124H-010 through WAC 308-124H-060.

((1)) Courses submitted must not duplicate material so far as the general theme is concerned:))

(2) The student ((must satisfactorily complete each course)) shall not receive clock hour credits for any course which is a duplication of material of a course that the student has previously taken and successfully completed.

(3) It is the responsibility of each student to furnish the real estate division with a copy of ((his or her)) the student's grade ((card;)) report or transcript ((or certificate of completion)).

WSR 78-09-125 PROPOSED RULES GAMBLING COMMISSION [Filed September 6, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Gambling Commission intends to adopt, amend, or repeal rules concerning the licensing and regulation of gambling activities. (Copy of the proposed rules are attached hereto; however, changes may be made at the public hearing.)

Specifically, the authority under which each of the attached rules, or amendments to rules, are proposed is:

- (1) Amendment to WAC 230-20-100 is RCW 9.46.070(8), (10), and (13).
- (2) Amendment to WAC 230-25-030 is RCW 9.46.070(10 and (13) and RCW 9.46.060(23).
- (3) Amendment to WAC 230-25-040 is RCW 9.46.070(10) and (13) and RCW 9.46.020(23).

- (4) Amendment to WAC 230-25-070 is RCW 9.46.070(8), (10) and (13).
- (5) New rule, WAC 230-25-120 is RCW 9.46.070(13) and (15).
- (6) New rule, WAC 230-25-235 is RCW 9.46.070(10) and (13).
- (7) New rule, WAC 230-25-270 is RCW 9.46.020(23) and RCW 9.46.070(13).
- (8) New rule, WAC 230-25-300 is RCW 9.46.070(13).
- (9) New rule, WAC 230-25-310 is RCW 9.46.020(23) and RCW 9.46.070(13);

that such agency will at 10 a.m., Thursday, October 12, 1978, in the Inn at the Quay, Foot of Columbia, Vancouver, Washington, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 10 a.m., Thursday, October 12, 1978, in the Inn at the Quay, Foot of Columbia, Vancouver, Washington.

The authority under which these rules are proposed is chapter 9.46 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to October 12, 1978, and/or orally at 10 a.m., Thursday, October 12, 1978, Inn at the Quay, Foot of Columbia, Vancouver, Washington.

Dated: September 5, 1978

By: Jeffrey O. C. Lane
Assistant Attorney General

AMENDATORY SECTION (Amending Order 74, filed 8-17-77)

WAC 230-20-100 RECEIPT REQUIRED FOR INCOME AND PRIZES IN BINGO AND RAFFLES. Except for bingo activities conducted at a qualified agricultural fair, or other special location, all income from bingo games and raffles shall be receipted for by the licensee at the time the income is received from each individual player and all prizes shall be receipted for by the winner of each prize at the time the prize is distributed to each individual winner.

(1) Income Receipts: Income receipts shall be supplied by the licensee. They may be consecutively numbered tickets, consecutively numbered disposable bingo cards, or cash register receipts.

(a) Cash Register Receipts for Income: In the event a cash register is used, a consecutively numbered receipt shall be given to the customer, and a ((corresponding)) duplicate number containing not less than four digits ((will)) shall be printed and recorded together with a record of the transaction on the tape kept inside the cash register. The numbering mechanism of the cash register shall not be returned to zero at the conclusion of any period of use. The following information shall appear upon the receipts given to the customer:

(i) The name of the licensee operating the activity;

(ii) The date; and

(iii) The amount of money paid for the opportunity to play.

The cash register shall have sufficient keys to record separately and keep income from various types of sales identified as required by WAC 230-08-080 and shall provide a total for each type of sale recorded. Further, any cash register used must retain its transaction count between uses whether or not its power source is interrupted for short periods of time. The tapes retained in the cash register showing these transactions shall be retained with the daily records of the licensee for a period of not less than three years. If the cash register is used by the licensee for purposes other than recording the receipts from bingo, the internal cash register tapes from the other uses shall also be retained for not less than three years.

(b) Ticket Receipts For Income: When tickets are used for receipting the following conditions must be met:

(i) All tickets on a roll must be consecutively numbered;

(ii) Each ticket on a roll shall represent the same specific amount of money and the amount of money represented by each ticket shall be clearly printed on the face of the ticket;

(iii) Once a roll of tickets has been started, tickets shall be issued consecutively off of that roll;

(iv) A log shall be maintained, listing the date each roll of tickets is purchased or obtained by the licensee, the color, the dollar value of the tickets, the beginning ticket number, and the number of tickets on that roll. The individual logging the entry shall initial the log at the time of entry. (All unused or partial rolls of tickets purchased before the effective date of this rule shall be logged within 30 days of the effective date or prior to their use, whichever comes first); and

(v) The licensee shall record in his daily records the lowest numbered ticket and the highest numbered ticket issued as a receipt for each separate roll of tickets used for each separate type of sale as required by WAC 230-08-080. The dollar value of these tickets shall also be recorded in these records. Tickets bearing numbers falling between the lowest numbered ticket and the highest numbered ticket issued, which were not issued as receipts shall be retained by the licensee as a part of its daily records, along with any leftover tickets not issued from the end of a roll, and shall not be otherwise used or disposed of by the licensee for a period of not less than three years: PROVIDED, That with respect to raffles, a raffle ticket sold and delivered to the customer may be used as the receipt so long as all tickets issued in the raffle are consecutively numbered and the above requirements as to conditions of tickets and the requirements as to daily records need not be met on a daily basis so long as they record the lowest and the highest numbered tickets issued as receipts and record and identify distribution of all unsold tickets falling between these tickets for each raffle conducted.

(c) Disposable Bingo Card Receipts For Income: Disposable bingo cards themselves may be used as the receipt required by this rule: PROVIDED, That:

(i) Each set of disposable cards used is consecutively numbered from the first card to the last card, or is consecutively numbered through the set. Each card must have printed on its face both its individual card number, and the series number assigned by the manufacturer to that set of disposable cards;

(ii) No two or more sets of disposable cards can be used at the same time if they have identical series numbers;

(iii) Each disposable card or sheet of cards sold represents a specific amount of money which has been paid to the licensee. Each disposable card or sheet of cards shall be sold for the same price as each other disposable card or sheet of cards being used during any particular bingo game. This price shall be recorded in the daily records;

(iv) A log shall be maintained, listing the date each set of disposable cards is purchased or obtained by the licensee, the series number, the color, the number of cards per sheet, the beginning card number and the number of cards or sheets per set. The individual logging the entry shall initial the log at the time of entry. (All unused or partial sets of disposable cards purchased before the effective date of this rule shall be logged within 30 days of the effective date or prior to their use, whichever comes first); and

(v) The licensee shall record in its daily records the series number, the color, the beginning card number and the ending card number issued as a receipt for each separate set of disposable cards used for each separate type of sale as required by WAC 230-08-080: PROVIDED, That for cards sold more than one on a sheet, that are consecutively numbered through the set, the licensee shall record the beginning card number and the ending card number issued of the card located at the top of the sheet, or at the top lefthand corner of the sheet, each time the numbering of the sheets breaks in the series. Disposable cards or sheets of cards bearing numbers falling between the first and the last numbered card issued, which were not issued as receipts, shall be retained by the licensee as a part of its daily records, along with any leftover cards, or sheets of cards, not issued from the end of a series, and shall not be otherwise used or disposed of by the licensee for a period of not less than three years.

(2) Receipts For Prizes: Receipts for prizes shall be consecutively numbered and contain the following information:

(a) The name of the licensee operating the activity;

(b) The date;

(c) The game number;

(d) The true name and address of the winner of the prize; and

(e) A description of the prize won and any value of that prize which as been represented to the player by the licensee.

It shall be the responsibility of the licensee to see that the prize winner is properly and accurately identified upon the receipt and the licensee shall require such proof of identification as is necessary to properly establish the winner's identity. The licensee shall not pay out any prize unless and until the winner has fully, accurately, and legibly furnished to the licensee all information required by this rule to be upon the receipt for the prize.

The original of each prize receipt shall be given to the winner and a duplicate copy shall be retained by the licensee as a part of its records for a period of not less than three years.

PROVIDED, That class A bingo and class C raffle licensees and persons conducting bingo and raffles under the provisions of RCW 9.46.030(3), are exempt from all portions of this rule. Class B bingo licensees are exempt from maintaining the required logs for ticket and disposable card receipting, and from the issuing of prize receipts so long as they record items (2)(b), (c), (d), and (e) above in their records.

AMENDATORY SECTION (Amending Order 78, filed 11-17-77)

WAC 230-25-030 FUND RAISING EVENT – FIVE THOUSAND DOLLARS ANNUAL NET RECEIPT MAXIMUM. No licensee authorized to conduct one fund raising event for a period of three consecutive days once during a calendar year shall conduct such an event in such a manner as to allow the total of all gross wagers and bets received by the licensee, less the amount of money paid or committed by the licensee as winnings, and for the purchase cost of prizes given as winnings, to exceed five thousand dollars at the conclusion of such fund raising event.

No licensee authorized to conduct a fund raising event on two occasions during a calendar year for not more than one calendar day each shall conduct such event in any manner so as to allow the total of all gross wagers and bets received by the licensee, less the amount of money paid by the licensee as winnings and for the purchase cost of prizes given as winnings to exceed five thousand dollars at the end of any calendar day upon which such event is conducted, or during the calendar year in which such activity is authorized.

The licensee shall post conspicuously and in detail in the area in which the gambling is taking place any and all schemes for the distribution to the participants of any receipts beyond those permitted by law and shall offer all participants at the event an equal opportunity to participate in such scheme or schemes.

Winners of all prizes shall be determined during the fund raising event. All prizes shall be paid or distributed to the winners not later than 30 calendar days following the conclusion of the event.

AMENDATORY SECTION (Amending Order 78, filed 11-17-77)

WAC 230-25-040 FUND RAISING EVENT – HOUSE RULES TO BE DEVELOPED AND POSTED – LIMITATIONS ON WAGERS. Prior to ((the conduct of)) conducting a fund raising event, each licensee shall develop a set of house rules which will govern the type, scope and manner of all gambling activities to be conducted in conjunction with the fund raising event. Among other information, these rules shall establish the maximum amount of wagers which may be placed by persons participating in gambling activities which in any event shall not exceed ten dollars being wagered upon the outcome of any one operation of an element of chance: **PROVIDED, HOWEVER,** That this limit shall not apply to the amount paid for each single and equal chance to win in a drawing from among individual tickets.

In addition, the rules shall prohibit the giving of any thing of value to any person involved in the management or operation of the fund raising event, and prohibit any person involved in the management or operation of the fund raising event from accepting any thing of value.

A copy of the rules shall be posted conspicuously on the premises where the fund raising event is being conducted at all times during the fund raising event, and a copy thereof shall be made available, upon request, to any law enforcement officer or representative of the commission.

AMENDATORY SECTION (Amending Order 78, filed 11-17-77)

WAC 230-25-070 FUND RAISING EVENTS – CENTRAL ACCOUNTING SYSTEM REQUIRED. Each licensee for the operation of fund raising events shall establish and maintain a central accounting system in a form prescribed by the commission for all

activities conducted in conjunction with the fund raising event. Licenses shall obtain accounting forms from the commission, or use machine copies of such forms.

Such system shall contain, but not be limited to, the following items:

(1) There shall be adequate personnel and physical areas to provide for the following minimum separation of duties:

(a) A banker or cashier to handle the original bankroll, provide coin and/or chips to the games and redeem chips and cash checks for the players;

(b) A runner to transport money, chips and lock boxes between stations of the event;

(c) Pit bosses, each of whom shall supervise the operation of not more than six gambling stations and who shall participate in the verification and documentation of the transfer of lock boxes and chips/change trays to the count room;

(d) An area for the counting of money which is segregated from the area in which gambling is conducted. All money received in connection with the fund raising event shall be brought to this area for counting. Once any such money has been brought to this area, three persons shall be assigned to the count area with a minimum of two in the counting area at all times.

(2) The beginning bankroll shall be verified by at least two persons who shall sign such verification.

(3) There shall be documentation containing verifying signatures for the transfer of money between any two stations of the event.

(4) All games shall be numbered and provided with lock boxes and money paddles. The money paddle shall remain in the lock box slot whenever it is not in use. The money slot of the lock box shall not exceed 3 1/2" in length and 1/2" in width.

(5) The keys to all lock boxes are to be kept in the count room at all times and the lock boxes are to be opened only in the count room by the count room personnel.

(6) All games are to be played using coin or chips and all currency tendered by the players shall be exchanged for coin or chips and immediately placed in the lock box by the dealer.

(7) The ending balances of the banker and/or cashier(s) shall be verified by at least two persons who shall sign such verification.

(8) All money and chips shall be transferred to the count room at the end of the day or event for final tabulation, reconciliation, and verification.

(9) The final tabulation and reconciliation shall be verified by at least three count room personnel who shall sign such verification.

(10) Access to the count room and the bankers and/or cashier's areas shall be restricted to the persons assigned to those functions and to the runner(s) who transport money or chips to or from those stations.

(11) Records shall provide sufficient detail to determine the net receipts of each activity conducted.

PROVIDED, That the above requirements shall not apply to those licensees whose receipts from the fund raising event are limited to an admission charge or charge for a ticket, or tickets, to a drawing and who

(a) Conduct all activities with script, play money, or similar items which are redeemable only for merchandise prizes; and

(b) Who award only merchandise prizes that have been purchased by or donated to the licensee.

These licensees need only comply with WAC 230-08-010 and record their net receipts in sufficient detail to verify these amounts.

NEW SECTION

WAC 230-25-120 LIMITS UPON AMOUNT FOR RENT, LEASE OR SIMILAR PAYMENTS FOR FUND RAISING EVENTS. No licensee shall expend for rent or lease (or similar arrangements) of premises in which to hold a fund raising event, or for any equipment or service in connection with the fund raising event, an amount that exceeds the local prevailing or market price for such premises, equipment or service.

Maximum rental limits shall be:

(1) For licensees to conduct an event for twenty-four hours or less (class A):

(a) Not more than \$200 for premises in which to conduct the event;

(b) Not more than \$500 for gaming equipment to conduct the event, including delivery, schooling in its use, cards, dice, cash boxes, shoes, chips and other accessories needed to conduct the event;

(c) Not more than \$650 for items in (a) and (b) together.

(2) For licensees to conduct an event for seventy-two consecutive hours or less but more than twenty-four hours (class B):

- (a) Not more than \$200 for each twenty-four hour period for premises in which to conduct the event;
- (b) Not more than \$750 for gaming equipment to conduct the event, including delivery, schooling in its use, cards, dice, cash boxes, shoes, chips and other accessories needed to conduct the event;
- (c) Not more than \$900 for items in (a) and (b) together.

Payments by the licensee for any other items which are required by a person renting or leasing either premises or gambling equipment, or both, to the licensee either directly or indirectly as a condition of renting or leasing such premises or equipment shall be included when applying these maximum limits.

The above limits shall not apply to expenditures by the licensee for purchases outright, or construction of, gambling equipment, nor shall they include amounts for police and fire protection paid to bona fide governmental or quasi-governmental agencies.

NEW SECTION

WAC 230-25-235 FUND RAISING EVENT – RULES FOR BLACKJACK. The game of "21" (blackjack) when played as part of a licensed fund raising event shall be played in conformance with the following:

- (1) Cards shall be dealt from a dealing shoe. The deal shall begin with the shoe containing not less than four full decks of cards and proceed until, in the dealer's judgment, a full round cannot be completed with the cards remaining. The shoe shall then be refilled with not less than four decks of cards and the process repeated.
- (2) All cards shall be dealt to the players face up.
- (3) Players are not to remove cards from the table.
- (4) Only "standard size" playing cards shall be used.

NEW SECTION

WAC 230-25-270 CERTAIN INCIDENTAL FUNCTIONS AT FUND RAISING EVENT NOT PART OF MANAGEMENT AND OPERATION OF EVENT. Persons who perform only the following incidental functions in connection with a fund raising event shall not be deemed to be participating in the "management or operation" of such an event for the purposes of that portion of RCW 9.46.020(23) requiring that persons participating in the management or operation of the event be members of the licensee organization:

- (1) The serving of food and drink to participants in the event;
- (2) The parking of cars;
- (3) Acting as a police officer, in uniform, for the purposes of maintaining general crowd control and order at the event, or to detect persons cheating the participants or the house, when that person is a commissioned law enforcement officer with the power to make arrests in the jurisdiction in which the event is being held;
- (4) Providing janitorial functions.

PROVIDED, That the payment to persons to perform these functions does not exceed the local prevailing level of payment for a similar function at other than fund raising events.

NEW SECTION

WAC 230-25-300 FUND RAISING EVENT – DEFINITIONS OF JOB TITLES. (1) Banker – Duties, Responsibilities and Limits:

- (a) Obtain operating bankroll (cash and chips, if used).
- (b) Provide opening fills to cashiers.
- (c) May draw additional money from count room if original bankroll is depleted.
- (d) May be combined with duties of cashier if event is small and only one cashier is used.
- (e) Must maintain records fully accounting for amount of original bankroll plus any additional amounts drawn from the count room.
- (2) Cashier – Duties, Responsibilities and Limits:
 - (a) Receives opening transfer (fill) of cash and chips from banker. (May also perform the banker function if there is only one cashier.)
 - (b) Provides opening fills to games.
 - (c) Sells chips to players (if chips are used). (Players may also purchase chips from dealers.)
 - (d) Cashes checks for players.
 - (e) Redeems chips from players.
 - (f) May draw additional bankroll from banker if original bankroll is insufficient (or if combined with duties of banker, may draw additional bankroll from the count room).
 - (g) Must maintain records fully accounting for amount of original bankroll plus additional draws.

(3) Runner(s) – Duties, Responsibilities and Limits:

- (a) Transfer fills and refills from banker to cashier and from cashier(s) to games.
- (b) Deliver lock boxes from games to count room.
- (c) Sign transfer slip when picking up fill from cashier.
- (d) Assure that dealer signs transfer slip. Enter amount on pit control sheet.
- (e) Assure that transfer slip is placed in lock box.
- (f) Assure that time is entered on the transfer slip and pit control sheet.

(g) (Optional) May provide information from count room to pit boss on receipts by game.

- (h) Verifies final chip tray count and signs final transfer form.

(4) Dealers – Duties, Responsibilities and Limits:

- (a) Verify amount received at game and sign transfer form.
- (b) Place signed copy of transfer form in lock box.
- (c) Verify final chip tray count with pit boss and runner.
- (d) Sign final transfer form.

(e) Assure that one copy of final transfer form is placed in lock box and one copy goes with the chip tray.

(5) Pit Boss – Duties, Responsibilities and Limits:

- (a) Supervises not more than six gambling stations.
- (b) Has available records of opening fills and refills by games. (May be, if desired, supplied with information on receipts from countroom.)
- (c) Assures that transfer slip has game number and time entered and is placed in lock box when box is sent to count room during the event.
- (d) Verifies final count in chip tray and signs final transfer form.
- (e) Places one copy of final transfer form in lock box and one copy with chip tray.

(6) Count Room Personnel – Duties, Responsibilities and Limits:

- (a) Receive lock boxes from games (runners).
- (b) Maintain key(s) to all lock boxes.
- (c) Open lock boxes and count money.
- (d) Record money and fill slips from lock boxes by game. May supply information on receipts by table to pit boss.
- (e) May provide additional cash to banker (or cashier) if the original bankroll is depleted. Must prepare transfer slip for the transaction.
- (f) Receive ending trays and lock boxes from games. Verify final tray counts and enter into records.
- (g) Maintain records by game and in summary of all transactions of the event.
- (h) Receive ending bankrolls and records from banker and/or cashier(s) at the conclusion of the event.
- (i) Prepare final computation of receipts.
- (j) Prepare deposit slips for all cash at the end of the event.

NEW SECTION

WAC 230-25-310 FUND RAISING EVENT – LIST OF WORKERS TO BE AVAILABLE ON PREMISES. The licensee conducting a fund raising event shall prepare and have available on the premises a list of all persons taking part in the management or operation of the fund raising event. Such list shall contain the name, address, telephone number and a description of the type of membership in the organization of each person. The list shall be maintained as part of the licensee's records of the event and shall be made available to any law enforcement officer or representative of the commission upon request.

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106-156-020	AMD	78-08-011	106-160-032	AMD	78-08-011
106-156-022	AMD-P	78-04-009	106-160-035	AMD-P	78-04-009
106-156-022	AMD	78-08-011	106-160-035	AMD	78-08-011
106-156-023	AMD-P	78-04-009	106-160-040	AMD-P	78-04-009
106-156-023	AMD	78-08-011	106-160-040	AMD	78-08-011
106-156-025	AMD-P	78-04-009	106-164-901	AMD-P	78-04-009
106-156-025	AMD	78-08-011	106-164-901	AMD	78-08-011
106-156-026	AMD-P	78-04-009	106-164-910	AMD-P	78-04-009
106-156-026	AMD	78-08-011	106-164-910	AMD	78-08-011
106-156-027	AMD-P	78-04-009	106-164-912	AMD-P	78-04-009
106-156-027	AMD	78-08-011	106-164-912	AMD	78-08-011
106-156-030	AMD-P	78-04-009	106-168-001	AMD-P	78-04-009
106-156-030	AMD	78-08-011	106-168-001	AMD	78-08-011
106-156-040	AMD-P	78-04-009	106-168-002	AMD-P	78-04-009
106-156-040	AMD	78-08-011	106-168-002	AMD	78-08-011
106-156-051	AMD-P	78-04-009	106-168-005	AMD-P	78-04-009
106-156-051	AMD	78-08-011	106-168-005	AMD	78-08-011
106-156-052	AMD-P	78-04-009	106-168-040	AMD-P	78-04-009
106-156-052	AMD	78-08-011	106-168-040	AMD	78-08-011
106-156-053	AMD-P	78-04-009	106-168-050	AMD-P	78-04-009
106-156-053	AMD	78-08-011	106-168-050	AMD	78-08-011
106-156-056	AMD-P	78-04-009	106-172-700	AMD-P	78-04-009
106-156-056	AMD	78-08-011	106-172-700	AMD	78-08-011
106-156-060	AMD-P	78-04-009	106-172-711	AMD-P	78-04-009
106-156-060	AMD	78-08-011	106-172-711	AMD	78-08-011
106-156-061	AMD-P	78-04-009	106-172-721	AMD-P	78-04-009
106-156-061	AMD	78-08-011	106-172-721	AMD	78-08-011
106-156-063	AMD-P	78-04-009	106-172-731	AMD-P	78-04-009
106-156-063	AMD	78-08-011	106-172-731	AMD	78-08-011
106-156-064	AMD-P	78-04-009	106-172-733	AMD-P	78-04-009
106-156-064	AMD	78-08-011	106-172-733	AMD	78-08-011
106-156-065	AMD-P	78-04-009	106-172-735	AMD-P	78-04-009
106-156-065	AMD	78-08-011	106-172-735	AMD	78-08-011
106-156-066	AMD-P	78-04-009	106-172-740	AMD-P	78-04-009
106-156-066	AMD	78-08-011	106-172-740	AMD	78-08-011
106-156-075	AMD-P	78-04-009	106-172-750	AMD-P	78-04-009
106-156-075	AMD	78-08-011	106-172-750	AMD	78-08-011
106-156-076	AMD-P	78-04-009	106-172-761	AMD-P	78-04-009
106-156-076	AMD	78-08-011	106-172-761	AMD	78-08-011
106-160-001	AMD-P	78-04-009	106-172-763	AMD-P	78-04-009
106-160-001	AMD	78-08-011	106-172-763	AMD	78-08-011
106-160-002	AMD-P	78-04-009	106-172-765	AMD-P	78-04-009
106-160-002	AMD	78-08-011	106-172-765	AMD	78-08-011
106-160-005	AMD-P	78-04-009	106-172-772	AMD-P	78-04-009
106-160-005	AMD	78-08-011	106-172-772	AMD	78-08-011
106-160-006	AMD-P	78-04-009	106-172-775	AMD-P	78-04-009
106-160-006	AMD	78-08-011	106-172-775	AMD	78-08-011
106-160-007	AMD-P	78-04-009	106-276-001	AMD-P	78-04-009

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132C-104-020	REP	78-05-001	132H-105-160	NEW-P	78-08-100
132C-104-025	REP-P	78-02-090	132H-105-160	NEW-P	78-09-021
132C-104-025	REP	78-05-001	132H-105-170	NEW-P	78-08-100
132C-104-030	REP-P	78-02-090	132H-105-170	NEW-P	78-09-021
132C-104-030	REP	78-05-001	132H-105-180	NEW-P	78-08-100
132C-104-035	REP-P	78-02-090	132H-105-180	NEW-P	78-09-021
132C-104-035	REP	78-05-001	132H-120-200	AMD-P	78-03-022
132C-104-045	REP-P	78-02-090	132H-120-200	AMD-P	78-05-062
132C-104-045	REP	78-05-001	132H-120-200	AMD	78-07-024
132C-104-050	REP-P	78-02-090	132H-120-205	NEW-P	78-03-022
132C-104-050	REP	78-05-001	132H-120-205	NEW-P	78-05-062
132C-104-055	REP-P	78-02-090	132H-120-205	NEW	78-07-024
132C-104-055	REP	78-05-001	132H-160	AMD-P	78-02-021
132C-104-060	NEW-P	78-02-089	132H-160-010	AMD-P	78-05-105
132C-104-060	NEW	78-05-002	132H-160-010	AMD	78-07-026
132C-104-060	AMD-P	78-05-091	132H-160-020	AMD-P	78-05-105
132C-104-060	AMD	78-09-008	132H-160-040	AMD-P	78-05-105
132C-104-070	NEW-P	78-02-089	132H-160-040	AMD	78-07-026
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132C-122-020	NEW	78-09-009	132H-160-053	NEW	78-09-020
132C-122-030	NEW-P	78-05-090	132H-160-056	NEW-P	78-07-004
132C-122-030	NEW	78-09-009	132H-160-056	NEW-E	78-07-005
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132C-122-040	NEW	78-09-009	132H-160-059	NEW-P	78-07-004
132C-285-010	NEW	78-02-062	132H-160-059	NEW-E	78-07-005
132H-104-010	REP-P	78-08-100	132H-160-059	NEW	78-09-020
132H-104-010	REP-P	78-09-021	132H-160-100	REP-P	78-05-105
132H-104-020	REP-P	78-08-100	132H-160-100	REP	78-07-026
132H-104-020	REP-P	78-09-021	132H-160-120	AMD-P	78-05-105
132H-104-030	REP-P	78-08-100	132H-160-120	AMD	78-07-026
132H-104-030	REP-P	78-09-021	132H-160-140	AMD-P	78-05-105
132H-104-040	REP-P	78-08-100	132H-160-140	AMD	78-07-026
132H-104-040	REP-P	78-09-021	132H-160-180	AMD	78-04-026
132H-104-050	REP-P	78-08-100	132H-160-200		78-07-026
132H-104-050	REP-P	78-09-021	132H-160-460	AMD-P	78-05-105
132H-104-120	REP-P	78-08-100	132H-160-460	AMD	78-07-026
132H-104-120	REP-P	78-09-021	132H-160-470	AMD-P	78-05-105
132H-104-130	REP-P	78-08-100	132H-160-470	AMD	78-07-026
132H-104-130	REP-P	78-09-021	132H-160-480	REP-P	78-05-105
132H-104-140	REP-P	78-08-100	132H-160-490	AMD-P	78-05-105
132H-104-140	REP-P	78-09-021	132H-160-490	AMD	78-07-026
132H-104-150	REP-P	78-08-100	132I-160-030	AMD-P	78-04-065
132H-104-150	REP-P	78-09-021	132J-12-003	REP-P	78-08-009
132H-105-010	NEW-P	78-08-100	132J-12-006	REP-P	78-08-009
132H-105-010	NEW-P	78-09-021	132J-12-009	REP-P	78-08-009
132H-105-020	NEW-P	78-08-100	132J-12-012	REP-P	78-08-009
132H-105-020	NEW-P	78-09-021	132J-12-015	REP-P	78-08-009
132H-105-030	NEW-P	78-08-100	132J-12-018	REP-P	78-08-009
132H-105-030	NEW-P	78-09-021	132J-12-021	REP-P	78-08-009
132H-105-040	NEW-P	78-08-100	132J-12-024	REP-P	78-08-009
132H-105-040	NEW-P	78-09-021	132J-12-027	REP-P	78-08-009
132H-105-050	NEW-P	78-08-100	132J-12-030	REP-P	78-08-009
132H-105-050	NEW-P	78-09-021	132J-12-033	REP-P	78-08-009
132H-105-060	NEW-P	78-08-100	132J-12-036	REP-P	78-08-009
132H-105-060	NEW-P	78-09-021	132J-12-039	REP-P	78-08-009
132H-105-070	NEW-P	78-08-100	132J-12-042	REP-P	78-08-009
132H-105-070	NEW-P	78-09-021	132J-12-045	REP-P	78-08-009
132H-105-090	NEW-P	78-08-100	132J-12-048	REP-P	78-08-009
132H-105-090	NEW-P	78-09-021	132J-12-051	REP-P	78-08-009
132H-105-100	NEW-P	78-08-100	132J-12-054	REP-P	78-08-009
132H-105-100	NEW-P	78-09-021	132J-12-057	REP-P	78-08-009
132H-105-110	NEW-P	78-08-100	132J-12-060	REP-P	78-08-009
132H-105-110	NEW-P	78-09-021	132J-12-063	REP-P	78-08-009
132H-105-120	NEW-P	78-08-100	132J-12-066	REP-P	78-08-009
132H-105-120	NEW-P	78-09-021	132J-12-069	REP-P	78-08-009
132H-105-130	NEW-P	78-08-100	132J-12-072	REP-P	78-08-009
132H-105-130	NEW-P	78-09-021	132J-12-075	REP-P	78-08-009
132H-105-140	NEW-P	78-08-100	132J-12-078	REP-P	78-08-009
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132J-12-362	REP-P	78-08-009	132M-325-030	NEW	78-04-072
132J-12-365	REP-P	78-08-009	132M-325-040	NEW	78-04-072
132J-12-368	REP-P	78-08-009	132M-325-050	NEW	78-04-072
132J-12-371	REP-P	78-08-009	132M-325-060	NEW	78-04-072
132J-12-374	REP-P	78-08-009	132N-128-030	AMD-P	78-08-051
132J-12-377	REP-P	78-08-009	132P-104-011	AMD-P	78-02-054
132J-12-380	REP-P	78-08-009	132P-104-011	AMD	78-05-012
132J-12-383	REP-P	78-08-009	132R-175-090	AMD	78-02-017
132J-12-385	REP-P	78-08-009	132R-175-150	AMD	78-02-017
132J-12-388	REP-P	78-08-009	132R-175-160	NEW	78-02-017
132J-12-401	REP-P	78-08-009	132R-175-App.A	REP	78-02-017
132J-112-900	REP-P	78-08-009	132S-08-100	AMD-P	78-08-067
132J-112-901	REP-P	78-08-009	132S-18-020	AMD-P	78-08-069
132J-112-902	REP-P	78-08-009	132S-170-030	AMD-P	78-08-070
132J-112-903	REP-P	78-08-009	132S-190-010	NEW-P	78-08-068
132J-112-904	REP-P	78-08-009	132S-190-020	NEW-P	78-08-068
132J-112-905	REP-P	78-08-009	132S-190-030	NEW-P	78-08-068
132J-112-906	REP-P	78-08-009	132S-190-040	NEW-P	78-08-068
132J-112-907	REP-P	78-08-009	132S-190-050	NEW-P	78-08-068
132J-112-908	REP-P	78-08-009	132S-190-060	NEW-P	78-08-068
132J-112-909	REP-P	78-08-009	132T-104-010		78-07-031
132J-112-910	REP-P	78-08-009	132T-104-010	NEW	78-09-058
132J-112-911	REP-P	78-08-009	132T-104-020	AMD-P	78-07-031
132J-112-912	REP-P	78-08-009	132T-104-020	AMD	78-09-058
132J-112-913	REP-P	78-08-009	132T-104-030	AMD-P	78-07-031
132J-112-914	REP-P	78-08-009	132T-104-030	AMD	78-09-058
132J-112-915	REP-P	78-08-009	132T-104-040	AMD-P	78-07-031
132J-112-916	REP-P	78-08-009	132T-104-040	AMD	78-09-058
132J-112-917	REP-P	78-08-009	132T-104-050	AMD-P	78-07-031
132J-112-918	REP-P	78-08-009	132T-104-050	AMD	78-09-058
132J-112-919	REP-P	78-08-009	132T-104-060		78-07-031
132J-112-920	REP-P	78-08-009	132T-104-060	NEW	78-09-058
132J-112-921	REP-P	78-08-009	132T-104-070	AMD-P	78-07-031
132J-128-060	AMD-P	78-03-076	132T-104-070	AMD	78-09-058
132J-128-060	AMD	78-06-084	132T-104-080		78-07-031
132J-128-070	AMD-P	78-03-076	132T-104-080	NEW	78-09-058
132J-128-070	AMD	78-06-084	132T-104-090		78-07-031
132L-20-010	AMD	78-04-043	132T-104-090	NEW	78-09-058
132L-20-020	AMD	78-04-043	132T-104-100		78-07-031
132L-20-040	AMD	78-04-043	132T-104-100	NEW	78-09-058
132L-20-050	AMD	78-04-043	132T-104-110	AMD-P	78-07-031
132L-20-060	AMD	78-04-043	132T-104-110	AMD	78-09-058
132L-20-080	AMD	78-04-043	132T-104-120	AMD-P	78-07-031
132L-20-100	AMD	78-04-043	132T-104-120	AMD	78-09-058
132L-20-120	AMD	78-04-043	132T-104-121	AMD-P	78-07-031
132L-20-140	AMD	78-04-043	132T-104-121	AMD	78-09-058
132L-20-150	AMD	78-04-043	132T-104-130	AMD-P	78-07-031
132L-20-160	AMD	78-04-043	132T-104-130	AMD	78-09-058
132L-20-170	AMD	78-04-043	132T-104-200		78-07-031
132L-22-010	AMD	78-04-043	132T-104-200	NEW	78-09-058
132L-22-020	AMD	78-04-043	132T-104-210	AMD-P	78-07-031
132L-22-030	AMD	78-04-043	132T-104-210	AMD	78-09-058
132L-22-040	AMD	78-04-043	132T-104-220	AMD-P	78-07-031
132L-22-050	AMD	78-04-043	132T-104-220	AMD	78-09-058
132L-22-060	AMD	78-04-043	132T-104-230	AMD-P	78-07-031
132L-22-070	AMD	78-04-043	132T-104-230	AMD	78-09-058
132L-22-080	AMD	78-04-043	132T-104-240	AMD-P	78-07-031
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132L-24-020	AMD	78-04-043	132T-104-250	AMD-P	78-07-031
132L-24-030	AMD	78-04-043	132T-104-250	AMD	78-09-058
132L-24-040	AMD	78-04-043	132T-104-260	AMD-P	78-07-031
132L-24-050	AMD	78-04-043	132T-104-260	AMD	78-09-058
132L-24-060	AMD	78-04-043	132T-104-270	NEW-P	78-07-031
132L-24-070	AMD	78-04-043	132T-104-270	AMD	78-09-058
132L-24-080	AMD	78-04-043	132T-104-280	AMD-P	78-07-031
132L-24-090	AMD	78-04-043	132T-104-280	AMD	78-09-058
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132L-325-050	NEW-P	78-02-071	136-10-050	AMD-P	78-06-095
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172-114-110	AMD	78-09-029	173-24-030	AMD-P	78-02-076
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172-180-010	AMD-P	78-03-028	173-24-060	AMD-P	78-02-076
172-180-010	AMD	78-06-006	173-24-060	AMD	78-04-015
172-180-020	AMD-P	78-03-028	173-24-070	AMD-P	78-02-076
172-180-020	AMD	78-06-006	173-24-070	AMD	78-04-015
172-180-030	AMD-P	78-03-028	173-24-080	AMD-P	78-02-076
172-180-030	AMD	78-06-006	173-24-080	AMD	78-04-015
172-180-040	AMD-P	78-03-028	173-24-100	AMD-P	78-02-076
172-180-040	AMD	78-06-006	173-24-100	AMD	78-04-015
173-02	REP	78-02-041	173-24-110	AMD-P	78-02-076
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173-03-020	NEW	78-02-041	173-24-140	AMD-P	78-02-076
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173-03-040	NEW	78-02-041	173-24-150	AMD-P	78-02-076
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173-03-060	NEW	78-02-041	173-58-010	NEW-P	78-09-104
173-03-070	NEW	78-02-041	173-58-020	NEW-P	78-09-104
173-03-080	NEW	78-02-041	173-58-030	NEW-P	78-09-104
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173-14-080	AMD-P	78-04-063	173-164-030	NEW	78-08-026
173-14-080	AMD	78-07-011	173-164-040	NEW	78-08-026
173-14-090	AMD-P	78-04-063	173-164-050	NEW	78-08-026
173-14-090	AMD	78-07-011	173-164-060	NEW	78-08-026
173-14-100	AMD-P	78-04-063	173-164-070	NEW	78-08-026
173-14-100	AMD	78-07-011	173-166-010	NEW-E	78-02-007
173-14-110	AMD-P	78-04-063	173-166-010	NEW-P	78-02-077
173-14-110	AMD	78-07-011	173-166-010	NEW	78-04-019
173-14-115	AMD-P	78-04-063	173-166-020	NEW-E	78-02-007
173-14-115	AMD	78-07-011	173-166-020	NEW-P	78-02-077
173-14-120	AMD-P	78-04-063	173-166-020	NEW	78-04-019
173-14-120	AMD	78-07-011	173-166-030	NEW-E	78-02-007
173-14-130	AMD-P	78-04-063	173-166-030	NEW-P	78-02-077
173-14-130	AMD	78-07-011	173-166-030	NEW	78-04-019
173-14-140	AMD-P	78-04-063	173-166-040	NEW-E	78-02-007
173-14-140	AMD	78-07-011	173-166-040	NEW-P	78-02-077
173-14-150	AMD-P	78-04-063	173-166-040	NEW	78-04-019
173-14-150	AMD	78-07-011	173-166-050	NEW-E	78-02-007
173-14-160	REP-P	78-04-063	173-166-050	NEW-P	78-02-077
173-14-160	REP	78-07-011	173-166-050	NEW	78-04-019
173-14-170	AMD-P	78-04-063	173-166-060	NEW-E	78-02-007
173-14-170	AMD	78-07-011	173-166-060	NEW-P	78-02-077
173-14-174	NEW-P	78-04-063	173-166-060	NEW	78-04-019
173-14-174	NEW	78-07-011	173-201-010	AMD	78-02-043
173-14-180	AMD-P	78-04-063	173-201-020	AMD	78-02-043
173-14-180	AMD	78-07-011	173-201-025	NEW	78-02-043
173-14-190	AMD-P	78-04-063	173-201-030	REP	78-02-043
173-14-190	AMD	78-07-011	173-201-035	NEW	78-02-043
173-19-390	AMD-P	78-05-017	173-201-040	REP	78-02-043
173-19-390	AMD	78-08-076	173-201-045	NEW	78-02-043
173-22	AMD-P	78-06-126	173-201-050	AMD	78-02-043
173-22	AMD	78-09-028	173-201-060	REP	78-02-043

Table of WAC Sections Affected

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
180-16-195	NEW	78-06-097	180-77-085	NEW-P	78-07-059
180-16-200	NEW-P	78-04-083	180-77-090	NEW-P	78-07-059
180-16-200	NEW	78-06-097	180-77-095	NEW-P	78-07-059
180-16-205	NEW-P	78-04-083	180-78-005	NEW-P	78-04-084
180-16-205	NEW	78-06-097	180-78-005	NEW	78-06-069
180-16-210	NEW-P	78-04-083	180-78-010	NEW-P	78-04-084
180-16-210	NEW	78-06-097	180-78-010	NEW	78-06-069
180-16-215	NEW-P	78-04-083	180-78-010	AMD-P	78-07-053
180-16-215	NEW	78-06-097	180-78-010	AMD	78-09-096
180-16-220	NEW-P	78-04-083	180-78-015	NEW-P	78-04-084
180-16-220	NEW	78-06-097	180-78-015	NEW	78-06-069
180-16-225	NEW-P	78-04-083	180-78-020	NEW-P	78-04-084
180-16-225	NEW	78-06-097	180-78-020	NEW	78-06-069
180-16-230	NEW-P	78-04-083	180-78-020	REP-P	78-07-053
180-16-230	NEW	78-06-097	180-78-020	REP	78-09-096
180-16-235	NEW-P	78-04-083	180-78-025	NEW-P	78-04-084
180-16-235	NEW	78-06-097	180-78-025	NEW	78-06-069
180-16-240	NEW-P	78-04-083	180-78-030	NEW-P	78-04-084
180-16-240	NEW	78-06-097	180-78-030	NEW	78-06-069
180-56-315	AMD-P	78-04-083	180-78-035	NEW-P	78-04-084
180-56-315	AMD	78-06-065	180-78-035	NEW	78-06-069
180-75-005	NEW-P	78-07-060	180-78-040	NEW-P	78-04-084
180-75-005	NEW	78-09-095	180-78-040	NEW	78-06-069
180-75-015	NEW-P	78-07-060	180-78-045	NEW-P	78-04-084
180-75-015	NEW	78-09-095	180-78-045	NEW	78-06-069
180-75-020	NEW-P	78-07-060	180-78-050	NEW-P	78-04-084
180-75-020	NEW	78-09-095	180-78-050	NEW	78-06-069
180-75-025	NEW-P	78-07-060	180-78-055	NEW-P	78-04-084
180-75-025	NEW	78-09-095	180-78-055	NEW	78-06-069
180-75-030	NEW-P	78-07-060	180-78-060	NEW-P	78-04-084
180-75-030	NEW	78-09-095	180-78-060	NEW-P	78-07-053
180-75-035	NEW-P	78-07-060	180-78-060	NEW	78-09-096
180-75-035	NEW	78-09-095	180-78-065	NEW-P	78-04-084
180-75-040	NEW-P	78-07-060	180-78-070	NEW-P	78-04-084
180-75-040	NEW	78-09-095	180-78-075	NEW-P	78-04-084
180-75-045	NEW-P	78-07-060	180-78-080	NEW-P	78-04-084
180-75-045	NEW	78-09-095	180-78-085	NEW-P	78-04-084
180-75-050	NEW-P	78-07-060	180-79-005	NEW-P	78-04-082
180-75-050	NEW	78-09-095	180-79-005	NEW	78-06-070
180-75-055	NEW-P	78-07-060	180-79-010	NEW-P	78-04-082
180-75-055	NEW	78-09-095	180-79-010	NEW	78-06-070
180-75-060	NEW-P	78-07-060	180-79-015	NEW-P	78-04-082
180-75-060	NEW	78-09-095	180-79-015	NEW	78-06-070
180-75-065	NEW-P	78-07-060	180-79-015	REP-P	78-07-058
180-75-065	NEW	78-09-095	180-79-015	REP	78-09-097
180-75-070	NEW-P	78-07-060	180-79-020	NEW-P	78-04-082
180-75-070	NEW	78-09-095	180-79-020	NEW	78-06-070
180-75-075	NEW-P	78-07-060	180-79-020	REP-P	78-07-058
180-75-075	NEW	78-09-095	180-79-020	REP	78-09-097
180-75-080	NEW-P	78-07-060	180-79-025	NEW-P	78-04-082
180-75-080	NEW	78-09-095	180-79-025	NEW	78-06-070
180-75-085	NEW-P	78-07-060	180-79-025	REP-P	78-07-058
180-75-085	NEW	78-09-095	180-79-025	REP	78-09-097
180-75-090	NEW-P	78-07-060	180-79-030	NEW-P	78-04-082
180-75-090	NEW	78-09-095	180-79-030	NEW	78-06-070
180-75-100	NEW-P	78-07-060	180-79-030	REP-P	78-07-058
180-75-100	NEW	78-09-095	180-79-030	REP	78-09-097
180-77-003	NEW-P	78-07-059	180-79-035	NEW-P	78-04-082
180-77-005	NEW-P	78-07-059	180-79-040	NEW-P	78-04-082
180-77-010	NEW-P	78-07-059	180-79-040	NEW	78-06-070
180-77-015	NEW-P	78-07-059	180-79-040	REP-P	78-07-058
180-77-020	NEW-P	78-07-059	180-79-040	REP	78-09-097
180-77-025	NEW-P	78-07-059	180-79-045	NEW-P	78-04-082
180-77-030	NEW-P	78-07-059	180-79-045	NEW	78-06-070
180-77-035	NEW-P	78-07-059	180-79-050	NEW-P	78-04-082
180-77-040	NEW-P	78-07-059	180-79-050	NEW	78-06-070
180-77-045	NEW-P	78-07-059	180-79-050	REP-P	78-07-058
180-77-050	NEW-P	78-07-059	180-79-050	REP	78-09-097
180-77-055	NEW-P	78-07-059	180-79-055	NEW-P	78-04-082
180-77-060	NEW-P	78-07-059	180-79-055	NEW	78-06-070
180-77-065	NEW-P	78-07-059	180-79-055	REP-P	78-07-058
180-77-070	NEW-P	78-07-059	180-79-055	REP	78-09-097
180-77-075	NEW-P	78-07-059	180-79-060	NEW-P	78-04-082
180-77-080	NEW-P	78-07-059	180-79-060	NEW	78-06-070

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
180-79-210	NEW	78-06-070	180-80-550	REP-P	78-04-086
180-79-215	NEW-P	78-04-082	180-80-550	REP	78-06-063
180-79-215	NEW	78-06-070	180-80-600	REP-P	78-04-086
180-79-230	NEW-P	78-04-082	180-80-600	REP	78-06-063
180-79-230	NEW	78-06-070	180-80-610	AMD	78-03-013
180-79-235	NEW-P	78-04-082	180-80-610	REP-P	78-04-086
180-79-235	NEW	78-06-070	180-80-610	REP	78-06-063
180-79-235	REP-P	78-07-058	180-80-700	REP-P	78-04-086
180-79-235	REP	78-09-097	180-80-700	REP	78-06-063
180-79-240	NEW-P	78-04-082	180-80-710	REP-P	78-04-086
180-79-240	NEW	78-06-070	180-80-710	REP	78-06-063
180-79-240	REP-P	78-07-058	180-80-720	REP-P	78-04-086
180-79-240	REP	78-09-097	180-80-720	REP	78-06-063
180-79-245	NEW-P	78-04-082	180-80-730	REP-P	78-04-086
180-79-245	NEW	78-06-070	180-80-730	REP	78-06-063
180-79-250	NEW-P	78-04-082	180-80-740	REP-P	78-04-086
180-79-250	NEW	78-06-070	180-80-740	REP	78-06-063
180-80-195	REP-P	78-04-086	180-84-010	REP-P	78-04-087
180-80-195	REP	78-06-063	180-84-010	REP	78-06-062
180-80-200	AMD	78-03-013	180-84-560	REP-P	78-04-087
180-80-200	REP-P	78-04-086	180-84-560	REP	78-06-062
180-80-200	REP	78-06-063	180-84-565	REP-P	78-04-087
180-80-201	REP-P	78-04-086	180-84-565	REP	78-06-062
180-80-201	REP	78-06-063	180-90-120	AMD-P	78-04-088
180-80-202	REP-P	78-04-086	180-90-120	AMD	78-06-064
180-80-202	REP	78-06-063	180-90-160	AMD-P	78-04-088
180-80-205	AMD-P	78-04-086	180-90-160	AMD	78-06-064
180-80-205	AMD	78-06-063	180-95-005	NEW	78-03-014
180-80-217	REP-P	78-04-086	180-95-010	NEW	78-03-014
180-80-217	REP	78-06-063	180-95-020	NEW	78-03-014
180-80-220	REP-P	78-04-086	180-95-030	NEW	78-03-014
180-80-220	REP	78-06-063	180-95-040	NEW	78-03-014
180-80-245	REP-P	78-04-086	180-95-050	NEW	78-03-014
180-80-245	REP	78-06-063	180-95-060	NEW	78-03-014
180-80-247	REP-P	78-04-086	182-08-131	NEW-P	78-04-107
180-80-247	REP	78-06-063	182-08-131	NEW-P	78-06-039
180-80-250	REP-P	78-04-086	182-08-160	AMD-E	78-02-014
180-80-250	REP	78-06-063	182-08-160	AMD	78-03-021
180-80-251	REP-P	78-04-086	182-08-170	AMD	78-02-015
180-80-251	REP	78-06-063	182-08-171	NEW-P	78-04-107
180-80-256	REP-P	78-04-086	182-08-171	NEW-P	78-06-039
180-80-256	REP	78-06-063	182-08-175	NEW-P	78-04-107
180-80-258	REP-P	78-04-086	182-08-175	NEW-P	78-06-039
180-80-258	REP	78-06-063	182-08-190	AMD	78-02-015
180-80-260	REP-P	78-04-086	182-12-111	NEW	78-02-015
180-80-260	REP	78-06-063	182-12-115	AMD-P	78-04-107
180-80-265	REP-P	78-04-086	182-12-115	AMD-P	78-06-039
180-80-265	REP	78-06-063	182-12-115	AMD-E	78-06-105
180-80-275	REP-P	78-04-086	182-12-115	AMD-P	78-07-006
180-80-275	REP	78-06-063	182-12-115	AMD	78-08-071
180-80-280	AMD-P	78-04-086	182-12-122	NEW-P	78-04-107
180-80-280	AMD	78-06-063	182-12-122	NEW-P	78-06-039
180-80-304	REP-P	78-04-086	182-12-122	NEW-E	78-06-105
180-80-304	REP	78-06-063	182-12-122	NEW-P	78-07-006
180-80-305	REP-P	78-04-086	182-12-122	NEW	78-08-071
180-80-305	REP	78-06-063	182-12-125	REP-P	78-04-107
180-80-310	REP-P	78-04-086	184-01-010	REP	78-03-023
180-80-310	REP	78-06-063	184-01-020	REP	78-03-023
180-80-510	REP-P	78-04-086	184-01-025	REP	78-03-023
180-80-510	REP	78-06-063	184-01-030	REP	78-03-023
180-80-520	REP-P	78-04-086	184-01-035	REP	78-03-023
180-80-520	REP	78-06-063	184-01-040	REP	78-03-023
180-80-522	REP-P	78-04-086	184-01-050	REP	78-03-023
180-80-522	REP	78-06-063	184-01-060	REP	78-03-023
180-80-525	REP-P	78-04-086	184-01-070	REP	78-03-023
180-80-525	REP	78-06-063	184-01-07001	REP	78-03-023
180-80-533	REP-P	78-04-086	184-03-010	REP	78-03-023
180-80-533	REP	78-06-063	184-03-020	REP	78-03-023
180-80-535	REP-P	78-04-086	184-03-030	REP	78-03-023
180-80-535	REP	78-06-063	184-03-040	REP	78-03-023
180-80-540	REP-P	78-04-086	184-03-050	REP	78-03-023
180-80-540	REP	78-06-063	184-03-060	REP	78-03-023
180-80-545	REP-P	78-04-086	184-03-070	REP	78-03-023
180-80-545	REP	78-06-063	184-03-080	REP	78-03-023

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
184-08-590	REP	78-03-023	192-10-080	AMD-P	78-07-077
184-09-010	REP	78-03-023	192-10-080	AMD	78-09-027
184-09-020	REP	78-03-023	192-10-090	AMD-P	78-07-077
184-12-010	REP	78-03-023	192-10-090	AMD	78-09-027
184-16-010	REP	78-03-023	192-10-110	AMD-P	78-07-077
184-16-020	REP	78-03-023	192-10-110	AMD	78-09-027
184-16-030	REP	78-03-023	192-10-120	AMD-P	78-07-077
184-16-040	REP	78-03-023	192-10-120	AMD	78-09-027
184-16-050	REP	78-03-023	192-10-260	REP-P	78-07-077
184-16-060	REP	78-03-023	192-10-260	REP	78-09-027
184-20-010	REP	78-03-023	192-10-265	NEW-P	78-07-077
184-20-020	REP	78-03-023	192-10-265	NEW	78-09-027
184-20-030	REP	78-03-023	192-10-270	REP-P	78-07-077
184-20-040	REP	78-03-023	192-10-270	REP	78-09-027
184-20-050	REP	78-03-023	192-10-280	AMD-P	78-07-077
184-20-060	REP	78-03-023	192-10-280	AMD	78-09-027
184-20-070	REP	78-03-023	192-10-300	AMD-P	78-07-077
184-20-080	REP	78-03-023	192-10-300	AMD	78-09-027
184-20-090	REP	78-03-023	192-10-310	AMD-P	78-07-077
184-20-100	REP	78-03-023	192-10-310	AMD	78-09-027
184-20-110	REP	78-03-023	192-12-030	AMD-P	78-07-077
184-20-120	REP	78-03-023	192-12-030	AMD	78-09-027
184-20-130	REP	78-03-023	192-12-035	NEW-P	78-07-077
184-20-140	REP	78-03-023	192-12-035	NEW	78-09-027
184-20-990	REP	78-03-023	192-12-050	AMD-P	78-07-077
186-12-010	REP	78-03-023	192-12-050	AMD	78-09-027
186-12-050	REP	78-03-023	192-12-070	AMD-P	78-07-077
186-12-060	REP	78-03-023	192-12-070	AMD	78-09-027
186-12-100	REP	78-03-023	192-12-115	NEW-P	78-07-077
186-12-110	REP	78-03-023	192-12-115	NEW	78-09-027
186-12-120	REP	78-03-023	192-12-120	REP-P	78-07-077
186-12-200	REP	78-03-023	192-12-120	REP	78-09-027
186-12-210	REP	78-03-023	192-12-150	AMD-P	78-07-077
186-12-300	REP	78-03-023	192-12-150	AMD	78-09-027
186-12-310	REP	78-03-023	192-14-010	REP-P	78-07-077
186-12-330	REP	78-03-023	192-14-010	REP	78-09-027
186-12-350	REP	78-03-023	192-14-020	REP-P	78-07-077
186-12-400	REP	78-03-023	192-14-020	REP	78-09-027
192-09-030	AMD-P	78-07-077	192-14-030	REP-P	78-07-077
192-09-030	AMD	78-09-027	192-14-030	REP	78-09-027
192-09-040	AMD-P	78-07-077	192-14-040	REP-P	78-07-077
192-09-040	AMD	78-09-027	192-14-040	REP	78-09-027
192-09-060	AMD-P	78-07-077	192-14-050	REP-P	78-07-077
192-09-060	AMD	78-09-027	192-14-050	REP	78-09-027
192-09-110	AMD-P	78-07-077	192-14-060	REP-P	78-07-077
192-09-110	AMD	78-09-027	192-14-060	REP	78-09-027
192-09-135	AMD-P	78-07-077	192-14-070	REP-P	78-07-077
192-09-135	AMD	78-09-027	192-14-070	REP	78-09-027
192-09-230	AMD-P	78-07-077	192-14-080	REP-P	78-07-077
192-09-230	AMD	78-09-027	192-14-080	REP	78-09-027
192-09-315	AMD-P	78-07-077	192-14-090	REP-P	78-07-077
192-09-315	AMD	78-09-027	192-14-090	REP	78-09-027
192-09-400	AMD-P	78-07-077	192-14-100	REP-P	78-07-077
192-09-400	AMD	78-09-027	192-14-100	REP	78-09-027
192-09-405	AMD-P	78-07-077	192-14-110	REP-P	78-07-077
192-09-405	AMD	78-09-027	192-14-110	REP	78-09-027
192-09-420	AMD-P	78-07-077	192-14-120	REP-P	78-07-077
192-09-420	AMD	78-09-027	192-14-120	REP	78-09-027
192-09-425	AMD-P	78-07-077	192-14-130	REP-P	78-07-077
192-09-425	AMD	78-09-027	192-14-130	REP	78-09-027
192-10-010	AMD-P	78-07-077	192-14-140	REP-P	78-07-077
192-10-010	AMD	78-09-027	192-14-140	REP	78-09-027
192-10-015	NEW-P	78-07-077	192-14-150	REP-P	78-07-077
192-10-015	NEW	78-09-027	192-14-150	REP	78-09-027
192-10-020	AMD-P	78-07-077	192-15-010	NEW-P	78-07-077
192-10-020	AMD	78-09-027	192-15-010	NEW	78-09-027
192-10-030	AMD-P	78-07-077	192-15-020	NEW-P	78-07-077
192-10-030	AMD	78-09-027	192-15-020	NEW	78-09-027
192-10-050	AMD-P	78-07-077	192-15-030	NEW-P	78-07-077
192-10-050	AMD	78-09-027	192-15-030	NEW	78-09-027
192-10-060	AMD-P	78-07-077	192-15-040	NEW-P	78-07-077
192-10-060	AMD	78-09-027	192-15-040	NEW	78-09-027
192-10-070	AMD-P	78-07-077	192-15-050	NEW-P	78-07-077
192-10-070	AMD	78-09-027	192-15-050	NEW	78-09-027

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
204-64-100	NEW-P	78-06-107	220-28-007C0H	NEW-E	78-09-070
204-64-100	NEW-E	78-08-065	220-28-007C0H	REP-E	78-09-086
204-64-100	NEW-P	78-08-108	220-28-007C0I	NEW-E	78-09-091
204-64-120	NEW-E	78-02-092	220-28-007F0A	NEW-E	78-05-036
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204-64-120	NEW-E	78-05-065	220-28-007F0B	NEW-E	78-07-034
204-66-060	AMD-P	78-06-107	220-28-007G0A	NEW-E	78-07-054
204-66-060	AMD	78-08-079	220-28-00800J	REP-E	78-02-051
204-66-080	AMD-P	78-02-106	220-28-00800K	NEW-E	78-05-036
204-66-080	AMD-P	78-08-077	220-28-00800L	NEW-E	78-07-054
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204-66-160	AMD-P	78-06-107	220-28-00800M	NEW-E	78-09-022
204-66-160	AMD	78-08-079	220-28-008A0B	REP-E	78-02-006
204-66-170	AMD-P	78-06-107	220-28-008A0C	NEW-E	78-07-054
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204-66-180	AMD-P	78-06-107	220-28-008A0D	NEW-E	78-09-022
204-66-180	AMD	78-08-079	220-28-008B0A	NEW-E	78-05-036
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212-02-030	AMD	78-04-076	220-28-008C0A	REP-E	78-07-034
220-20-015	AMD-P	78-03-093	220-28-008C0B	NEW-E	78-07-034
220-20-015	AMD	78-05-067	220-28-008D0B	REP-E	78-02-006
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220-20-01500A	REP-E	78-06-108	220-28-008F0A	REP-E	78-06-032
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220-22-030	AMD	78-05-018	220-28-008F0E	NEW-E	78-09-004
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220-22-330	AMD	78-05-018	220-28-008FOF	NEW-E	78-09-022
220-22-400	AMD-P	78-03-097	220-28-008G0A	NEW-E	78-05-036
220-22-400	AMD	78-05-018	220-28-008G0A	REP-E	78-07-034
220-24-010	AMD-P	78-03-093	220-28-008G0B	NEW-E	78-07-034
220-24-010	AMD	78-05-067	220-28-008H0A	NEW-E	78-05-036
220-24-01000A	NEW-E	78-05-068	220-28-008H0A	REP-E	78-07-034
220-24-01000A	REP-E	78-06-108	220-28-008H0B	NEW-E	78-07-034
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220-24-020	AMD	78-05-067	220-28-00900B	REP-E	78-07-054
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220-28-012B0A	NEW-E	78-07-054	220-28-012B0A	NEW-E	78-07-054
220-28-012C0A	NEW-E	78-07-054	220-28-012C0A	REP-E	78-09-091
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220-40-02402	AMD	78-09-041	220-40-02402	AMD	78-09-041
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220-44-020	AMD	78-06-002	220-56-022	AMD	78-03-034
220-44-020	AMD-P	78-08-098	220-56-030	AMD	78-03-034
220-44-02000A	NEW-E	78-08-004	220-56-040	AMD	78-03-034
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220-47-001	AMD	78-05-018	220-56-08000D	NEW-E	78-06-108
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220-47-311	AMD	78-05-018	220-56-084	AMD	78-03-034
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220-47-312	AMD	78-05-018	220-56-08400C	NEW-E	78-07-041
220-47-313	AMD-P	78-03-097	220-56-086	AMD	78-03-034
220-47-313	AMD	78-05-018	220-56-088	AMD	78-03-034
220-47-314	AMD-P	78-03-097	220-57-001	AMD	78-03-034
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230-04-141	NEW	78-06-066	232-28-60000B	NEW-E	78-03-025
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230-04-170	AMD	78-06-066	232-28-60000E	NEW-E	78-08-095
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230-04-200	AMD	78-06-066	232-32-101	REP-E	78-03-073
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230-04-290	AMD	78-06-066	232-32-103	NEW-E	78-02-028
230-04-310	AMD-P	78-04-080	232-32-104	NEW-E	78-02-029
230-04-310	AMD	78-06-066	232-32-105	NEW-E	78-02-040
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230-04-332	REP-P	78-06-131	232-32-107	NEW-E	78-02-047
230-04-332	AMD-P	78-06-131	232-32-108	NEW-E	78-02-080
230-04-332	REP	78-08-055	232-32-109	NEW-E	78-03-026
230-04-405	NEW-P	78-04-080	232-32-110	NEW-E	78-03-073
230-04-450	AMD-P	78-04-080	232-32-111	NEW-E	78-04-047
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230-04-452	NEW-P	78-06-131	232-32-300A	REP-E	78-02-080
230-04-452	NEW	78-08-055	232-32-300B	NEW-E	78-02-010
230-04-455	NEW-P	78-06-131	232-32-300B	REP-E	78-02-080
230-04-455	NEW	78-08-055	236-10-030	AMD-P	78-06-125
230-12-080	AMD-P	78-04-080	236-10-045	NEW-P	78-06-125
230-12-080	AMD	78-06-066	236-12	-P	78-05-005
230-20-100	AMD-P	78-09-125	236-12-001	AMD-P	78-03-091
230-25-030	AMD-P	78-09-125	236-12-001	AMD	78-05-006
230-25-040	AMD-P	78-09-125	236-12-010	AMD-P	78-03-091
230-25-070	AMD-P	78-09-125	236-12-010	AMD	78-05-006
230-25-110	NEW-P	78-01-034	236-12-011	AMD-P	78-03-091
230-25-110	AMD	78-03-061	236-12-011	AMD	78-05-006
230-25-120	NEW-P	78-09-125	236-12-012	AMD-P	78-03-091
230-25-220	AMD-P	78-02-102	236-12-012	AMD	78-05-006
230-25-220	AMD-E	78-03-063	236-12-013	NEW-P	78-03-091
230-25-220	AMD	78-04-032	236-12-013	NEW	78-05-006
230-25-235	NEW-P	78-09-125	236-12-020	AMD-P	78-03-091
230-25-260	NEW-P	78-02-102	236-12-020	AMD	78-05-006
230-25-260	NEW	78-04-032	236-12-030	AMD-P	78-03-091
230-25-270	NEW-P	78-09-125	236-12-030	AMD	78-05-006
230-25-300	NEW-P	78-09-125	236-12-040	AMD-P	78-03-091
230-25-310	NEW-P	78-09-125	236-12-040	AMD	78-05-006
230-40-250	AMD-P	78-04-080	236-12-050	AMD-P	78-03-091
230-40-250	AMD	78-06-066	236-12-050	AMD	78-05-006
232-12-065	NEW	78-02-055	236-12-060	AMD-P	78-03-091
232-12-205	NEW-P	78-08-109	236-12-060	AMD	78-05-006
232-12-240	AMD	78-02-055	236-12-061	NEW-P	78-03-091
232-12-330	REP-P	78-08-109	236-12-061	NEW	78-05-006
232-12-350	AMD	78-02-055	236-12-080	AMD-P	78-03-091
232-12-405	NEW	78-02-055	236-12-080	AMD	78-05-006
232-28-100	REP-P	78-05-104	236-12-085	AMD-E	78-03-090
232-28-100	REP	78-08-094	236-12-085	AMD-P	78-03-091
232-28-101	NEW-P	78-05-104	236-12-085	AMD	78-05-006
232-28-101	NEW	78-08-094	236-12-090	REP-P	78-03-091
232-28-200	REP-P	78-04-102	236-12-090	REP	78-05-006
232-28-200	REP	78-07-085	236-12-120	AMD-P	78-03-091
232-28-201	NEW-P	78-04-102	236-12-120	AMD	78-05-006
232-28-201	NEW	78-07-085	236-12-130	AMD-P	78-03-091
232-28-300	REP-P	78-04-102	236-12-130	AMD	78-05-006
232-28-300	REP	78-07-085	236-12-131	NEW-P	78-03-091
232-28-301	NEW-P	78-04-102	236-12-131	NEW	78-05-006
232-28-301	NEW	78-07-085	236-12-132	NEW-P	78-03-091
232-28-400	REP-P	78-07-084	236-12-132	NEW	78-05-006
232-28-401	NEW-P	78-07-084	236-12-133	NEW-P	78-03-091
232-28-500	REP-P	78-05-104	236-12-133	NEW	78-05-006
232-28-500	REP	78-09-093	236-12-140	AMD-P	78-03-091
232-28-501	NEW-P	78-05-104	236-12-140	AMD	78-05-006
232-28-501	NEW	78-09-093	236-12-220	AMD-P	78-03-091

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248-06-203	AMD	78-08-012	248-15-050	NEW-P	78-06-132
248-06-305	AMD-P	78-05-109	248-15-050	NEW-P	78-08-085
248-06-305	AMD	78-08-012	248-15-050	NEW	78-09-055
248-06-340	NEW-P	78-05-109	248-15-060	NEW-P	78-06-132
248-06-340	NEW	78-08-012	248-15-060	NEW-P	78-08-085
248-06-350	NEW-P	78-05-109	248-15-060	NEW	78-09-055
248-06-350	NEW	78-08-012	248-15-070	NEW-P	78-06-132
248-06-380	AMD-P	78-05-109	248-15-070	NEW-P	78-08-085
248-06-380	AMD	78-08-012	248-15-070	NEW	78-09-055
248-06-410	NEW-P	78-05-109	248-15-080	NEW-P	78-06-132
248-06-410	NEW	78-08-012	248-15-080	NEW-P	78-08-085
248-06-420	AMD-P	78-05-109	248-15-080	NEW	78-09-055
248-06-420	AMD	78-08-012	248-15-090	NEW-P	78-06-132
248-06-455	NEW-P	78-05-109	248-15-090	NEW-P	78-08-085
248-06-455	NEW	78-08-012	248-15-090	NEW	78-09-055
248-06-460	NEW-P	78-05-109	248-15-100	NEW-P	78-06-132
248-06-460	NEW	78-08-012	248-15-100	NEW-P	78-08-085
248-06-480	NEW-P	78-05-109	248-15-100	NEW	78-09-055
248-06-480	NEW	78-08-012	248-15-110	NEW-P	78-06-132
248-06-510	AMD-P	78-05-109	248-15-110	NEW-P	78-08-085
248-06-510	AMD	78-08-012	248-15-110	NEW	78-09-055
248-06-550	NEW-P	78-05-109	248-18-202	NEW-P	78-05-107
248-06-550	NEW	78-08-012	248-18-202	NEW	78-08-060
248-06-600	NEW-P	78-05-109	248-18-245	AMD	78-03-058
248-06-600	NEW	78-08-012	248-33-100	AMD	78-03-060
248-06-700	AMD-P	78-05-109	248-55	NEW-P	78-03-056
248-06-700	AMD	78-08-012	248-55-010	NEW-P	78-08-019
248-06-810	AMD-P	78-05-109	248-55-020	NEW-P	78-08-019
248-06-810	AMD	78-08-012	248-55-030	NEW-P	78-08-019
248-06-815	NEW-P	78-05-109	248-55-040	NEW-P	78-08-019
248-06-815	NEW	78-08-012	248-55-050	NEW-P	78-08-019
248-06-820	AMD-P	78-05-109	248-55-060	NEW-P	78-08-019
248-06-820	AMD	78-08-012	248-55-070	NEW-P	78-08-019
248-06-830	REP-P	78-05-109	248-55-080	NEW-P	78-08-019
248-06-830	REP	78-08-012	248-55-090	NEW-P	78-08-019
248-06-831	NEW-P	78-05-109	248-55-100	NEW-P	78-08-019
248-06-831	NEW	78-08-012	248-55-110	NEW-P	78-08-019
248-06-833	NEW-P	78-05-109	248-55-120	NEW-P	78-08-019
248-06-833	NEW	78-08-012	248-55-130	NEW-P	78-08-019
248-14	AMD-P	78-07-079	248-56-100	NEW-P	78-05-093
248-14-001	AMD-P	78-03-124	248-56-100	NEW	78-07-048
248-14-001	AMD-P	78-05-106	248-56-200	NEW-P	78-05-093
248-14-230	AMD-P	78-01-036	248-56-200	NEW	78-07-048
248-14-230	AMD-P	78-03-124	248-56-300	NEW-P	78-05-093
248-14-230	AMD-P	78-05-106	248-56-300	NEW	78-07-048
248-14-240	AMD-P	78-01-036	248-56-310	NEW-P	78-05-093
248-14-240	AMD-P	78-03-124	248-56-310	NEW	78-07-048
248-14-240	AMD-P	78-05-106	248-56-400	NEW-P	78-05-093
248-14-245	NEW-P	78-03-124	248-56-400	NEW	78-07-048
248-14-245	NEW-P	78-05-106	248-56-500	NEW-P	78-05-093
248-14-250	AMD-P	78-03-124	248-56-500	NEW	78-07-048
248-14-250	AMD-P	78-05-106	248-56-510	NEW-P	78-05-093
248-14-255	NEW-P	78-03-124	248-56-510	NEW	78-07-048
248-14-255	NEW-P	78-05-106	248-56-600	NEW-P	78-05-093
248-14-260	AMD-P	78-03-124	248-56-600	NEW	78-07-048
248-14-260	AMD-P	78-05-106	248-56-610	NEW-P	78-05-093
248-14-265	NEW-P	78-01-036	248-56-610	NEW	78-07-048
248-14-270	AMD-P	78-01-036	248-56-620	NEW-P	78-05-093
248-14-270	AMD-P	78-03-124	248-56-620	NEW	78-07-048
248-14-270	AMD-P	78-05-106	248-56-630	NEW-P	78-05-093
248-14-401	NEW-P	78-03-124	248-56-630	NEW	78-07-048
248-14-401	NEW-P	78-05-106	248-56-640	NEW-P	78-05-093
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248-15-010	NEW-P	78-08-085	248-56-700	NEW-P	78-05-093
248-15-010	NEW	78-09-055	248-56-700	NEW	78-07-048
248-15-020	NEW-P	78-06-132	248-56-710	NEW-P	78-05-093
248-15-020	NEW-P	78-08-085	248-56-710	NEW	78-07-048
248-15-020	NEW	78-09-055	248-56-720	NEW-P	78-05-093
248-15-030	NEW-P	78-06-132	248-56-720	NEW	78-07-048
248-15-030	NEW-P	78-08-085	248-56-730	NEW-P	78-05-093
248-15-030	NEW	78-09-055	248-56-730	NEW	78-07-048
248-15-040	NEW-P	78-06-132	248-56-740	NEW-P	78-05-093
248-15-040	NEW-P	78-08-085	248-56-740	NEW	78-07-048

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248-60A-070	REP-P 78-09-123	248-116-050	REP-P 78-07-082	251-14-080	AMD-P 78-03-098
248-60A-080	REP-P 78-03-123	248-116-060	REP-P 78-07-082	251-14-080	AMD 78-05-060
248-60A-080	REP-P 78-09-123	248-116-900	REP-P 78-07-082	251-18-030	AMD-P 78-04-100
248-60A-090	REP-P 78-03-123	248-116-901	REP-P 78-07-082	251-18-030	AMD 78-06-068
248-60A-090	REP-P 78-09-123	248-116-902	REP-P 78-07-082	251-18-070	AMD 78-02-094
248-60A-100	REP-P 78-03-123	248-116-903	REP-P 78-07-082	251-18-110	AMD 78-02-094
248-60A-100	REP-P 78-09-123	248-116-904	REP-P 78-07-082	251-18-115	AMD 78-02-094
248-60A-110	REP-P 78-03-123	248-120	REP-P 78-07-080	251-18-130	AMD-P 78-08-062
248-60A-110	REP-P 78-09-123	248-136-110	REP-P 78-06-009	251-18-140	AMD 78-02-094
248-60A-120	REP-P 78-03-123	248-136-110	REP 78-08-086	251-18-140	AMD-P 78-04-100
248-60A-120	REP-P 78-09-123	248-136-120	REP-P 78-06-009	251-18-140	AMD 78-06-068
248-60A-130	REP-P 78-03-123	248-136-120	REP 78-08-086	251-18-160	AMD-P 78-04-100
248-60A-130	REP-P 78-09-123	248-136-130	REP-P 78-06-009	251-18-160	AMD 78-06-068
248-60A-140	REP-P 78-03-123	248-136-130	REP 78-08-086	251-18-176	AMD-P 78-04-100
248-60A-140	REP-P 78-09-123	248-136-140	REP-P 78-06-009	251-18-176	AMD 78-06-068
248-60A-150	REP-P 78-03-123	248-136-140	REP 78-08-086	251-18-181	AMD 78-02-094
248-60A-150	REP-P 78-09-123	248-136-150	REP-P 78-06-009	251-18-181	AMD-P 78-04-100
248-60A-160	REP-P 78-03-123	248-136-150	REP 78-08-086	251-18-181	AMD 78-06-068
248-60A-160	REP-P 78-09-123	248-136-160	REP-P 78-06-009	251-18-230	AMD 78-02-094
248-60A-170	REP-P 78-03-123	248-136-160	REP 78-08-086	251-18-240	AMD 78-02-094
248-60A-170	REP-P 78-09-123	248-136-170	REP-P 78-06-009	251-18-260	AMD-P 78-04-100
248-61-001	REP-P 78-03-122	248-136-170	REP 78-08-086	251-18-260	AMD 78-06-068
248-61-001	REP-P 78-09-122	248-136-180	REP-P 78-06-009	251-18-330	AMD 78-02-094
248-61-010	REP-P 78-03-122	248-136-180	REP 78-08-086	251-18-340	AMD 78-02-094
248-61-010	REP-P 78-09-122	248-136-990	REP-P 78-06-009	251-20-010	NEW-P 78-04-100
248-61-015	REP-P 78-03-122	248-136-990	REP 78-08-086	251-20-010	NEW 78-06-068
248-61-015	REP-P 78-09-122	248-136-App.A	REP-P 78-06-009	251-20-020	NEW-P 78-04-100
248-61-020	REP-P 78-03-122	248-136-App.A	REP 78-08-086	251-20-020	NEW 78-06-068
248-61-020	REP-P 78-09-122	248-148-020	AMD 78-06-085	251-20-030	NEW-P 78-04-100
248-61-030	REP-P 78-03-122	250-16-001	NEW 78-05-023	251-20-030	NEW 78-06-068
248-61-030	REP-P 78-09-122	250-16-010	AMD 78-05-023	251-20-040	NEW-P 78-04-100
248-61-040	REP-P 78-03-122	250-16-020	AMD 78-05-023	251-20-040	NEW 78-06-068
248-61-040	REP-P 78-09-122	250-16-030	AMD 78-05-023	251-20-050	NEW-P 78-04-100
248-61-050	REP-P 78-03-122	250-16-040	AMD 78-05-023	251-20-050	NEW 78-06-068
248-61-050	REP-P 78-09-122	250-16-050	AMD 78-05-023	251-20-060	NEW-P 78-04-100
248-61-060	REP-P 78-03-122	250-20-021	AMD-P 78-02-085	251-20-060	NEW 78-06-068
248-61-060	REP-P 78-09-122	250-20-021	AMD 78-05-063	251-22-200	AMD-P 78-04-100
248-61-070	REP-P 78-03-122	250-40-050	AMD-P 78-02-084	251-22-200	AMD 78-06-068
248-61-070	REP-P 78-09-122	250-40-050	AMD-P 78-05-056	252-09-010	AMD-P 78-05-032
248-61-080	REP-P 78-03-122	250-40-050	AMD-P 78-06-015	252-09-010	AMD 78-07-083
248-61-080	REP-P 78-09-122	250-40-050	AMD 78-08-007	252-09-020	AMD-P 78-05-032
248-61-090	REP-P 78-03-122	251-04-020	AMD-P 78-04-100	252-09-020	AMD 78-07-083
248-61-090	REP-P 78-09-122	251-04-020	AMD 78-06-068	252-09-025	AMD-P 78-05-032
248-61-100	REP-P 78-03-122	251-04-040	AMD-P 78-08-062	252-09-025	AMD 78-07-083
248-61-100	REP-P 78-09-122	251-06-060	AMD-P 78-03-098	252-09-040	AMD-P 78-05-032
248-61-110	REP-P 78-03-122	251-06-060	AMD 78-05-060	252-09-040	AMD 78-07-083
248-61-110	REP-P 78-09-122	251-06-065	AMD-P 78-04-100	252-09-055	AMD-P 78-05-032
248-61-120	REP-P 78-03-122	251-06-070	AMD-P 78-04-100	252-09-055	AMD 78-07-083
248-61-120	REP-P 78-09-122	251-06-070	AMD 78-06-068	252-09-060	AMD-P 78-05-032
248-61-130	REP-P 78-03-122	251-06-080	AMD-P 78-08-062	252-09-060	AMD 78-07-083
248-61-130	REP-P 78-09-122	251-08-100	AMD-P 78-04-100	252-09-170	AMD-P 78-05-032
248-61-140	REP-P 78-03-122	251-08-100	AMD 78-06-068	252-09-170	AMD 78-07-083
248-61-140	REP-P 78-09-122	251-08-110	AMD-P 78-04-100	252-09-180	AMD-P 78-05-032
248-61-150	REP-P 78-03-122	251-08-112	AMD-P 78-04-100	252-09-180	AMD 78-07-083
248-61-150	REP-P 78-09-122	251-08-112	AMD 78-06-068	252-09-185	AMD-P 78-05-032
248-61-160	REP-P 78-03-122	251-09-025	AMD-P 78-04-100	252-09-185	AMD 78-07-083
248-61-160	REP-P 78-09-122	251-09-030	AMD-P 78-04-100	252-09-205	REP-P 78-05-032
248-61-170	REP-P 78-03-122	251-09-030	AMD 78-06-068	252-09-205	REP 78-07-083
248-61-170	REP-P 78-09-122	251-09-090	AMD-P 78-04-100	252-09-520	AMD-P 78-05-032
248-61-180	REP-P 78-03-122	251-09-090	AMD-E 78-05-058	252-09-520	AMD 78-07-083
248-61-180	REP-P 78-09-122	251-09-090	AMD 78-06-068	252-09-550	AMD-P 78-05-032
248-100-450	AMD 78-03-059	251-10-055	AMD-P 78-04-100	252-09-550	AMD 78-07-083
248-102-030	REP-P 78-07-081	251-10-055	AMD 78-06-068	252-09-820	AMD-P 78-05-032
248-102-030	REP-P 78-09-121	251-10-060	AMD-P 78-08-062	252-09-820	AMD 78-07-083
248-102-040	REP-P 78-07-081	251-10-140	AMD-P 78-04-100	252-09-830	REP-P 78-05-032
248-102-040	REP-P 78-09-121	251-10-140	AMD 78-06-068	252-09-830	REP 78-07-083
248-102-050	REP-P 78-07-081	251-12-095	NEW-P 78-04-100	252-09-990	AMD-P 78-05-032
248-102-050	REP-P 78-09-121	251-12-095	NEW 78-06-068	252-09-990	AMD 78-07-083
248-102-060	REP-P 78-07-081	251-12-240	AMD-P 78-04-100	252-20-040	AMD-P 78-04-051
248-102-060	REP-P 78-09-121	251-12-240	AMD 78-06-068	252-20-040	AMD-E 78-05-033
248-116-010	REP-P 78-07-082	251-14-040	AMD-P 78-03-098	252-20-040	AMD-E 78-06-041
248-116-020	REP-P 78-07-082	251-14-040	AMD-P 78-05-059	252-20-040	AMD 78-06-059
248-116-030	REP-P 78-07-082	251-14-040	AMD-P 78-06-067	252-20-040	AMD-E 78-06-089

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252-24-150	AMD-P	78-09-050	275-14-160	REP-P	78-06-009
252-24-312	AMD-P	78-06-060	275-14-160	REP	78-08-086
252-24-312	AMD-P	78-09-049	275-14-170	REP-P	78-06-009
252-32-002	AMD-P	78-02-088	275-14-170	REP	78-08-086
252-32-002	AMD	78-04-052	275-14-180	REP-P	78-06-009
252-32-011	AMD-P	78-05-031	275-14-180	REP	78-08-086
252-32-011	AMD	78-07-049	275-14-190	REP-P	78-06-009
252-32-101	AMD-P	78-09-031	275-14-190	REP	78-08-086
252-32-101	AMD-E	78-09-032	275-14-200	REP-P	78-06-009
252-32-539	AMD	78-02-078	275-14-200	REP	78-08-086
252-50-010	AMD-P	78-06-090	275-14-210	REP-P	78-06-009
252-50-010	AMD	78-08-038	275-14-210	REP	78-08-086
252-50-020	AMD-P	78-06-090	275-16-010	AMD	78-03-029
252-50-020	AMD	78-08-038	275-16-020	REP	78-03-029
252-50-030	AMD-P	78-06-090	275-16-030	AMD	78-03-029
252-50-030	AMD	78-08-038	275-16-040	AMD	78-03-029
252-300(Part)	REP	78-06-040	275-16-045	NEW	78-03-029
252-990	-P	78-05-034	275-16-050	REP	78-03-029
252-990	AMD	78-07-050	275-16-060	REP	78-03-029
252-990	AMD-P	78-07-075	275-16-070	REP	78-03-029
252-990	AMD	78-09-030	275-16-080	REP	78-03-029
260-40-100	AMD-P	78-06-092	275-16-090	REP	78-03-029
260-40-100	AMD	78-08-089	275-16-100	REP	78-03-029
260-70-010	AMD-P	78-03-095	275-18-010	NEW-P	78-06-009
260-70-020	AMD-P	78-03-095	275-18-010	NEW	78-08-086
260-70-020	AMD	78-06-001	275-18-020	NEW-P	78-06-009
260-70-050	AMD-P	78-03-095	275-18-020	NEW	78-08-086
260-70-050	AMD	78-06-001	275-18-030	NEW-P	78-06-009
260-70-060	AMD-P	78-03-095	275-18-030	NEW	78-08-086
260-70-060	AMD	78-06-001	275-18-040	NEW-P	78-06-009
260-70-070	AMD-P	78-03-095	275-18-040	NEW	78-08-086
260-70-070	AMD	78-06-001	275-18-050	NEW-P	78-06-009
260-70-080	AMD-P	78-03-095	275-18-050	NEW	78-08-086
260-70-080	AMD	78-06-001	275-18-060	NEW-P	78-06-009
260-70-090	AMD-P	78-03-095	275-18-060	NEW	78-08-086
260-70-170	AMD-P	78-03-095	275-18-070	NEW-P	78-06-009
260-70-170	AMD	78-06-001	275-18-070	NEW	78-08-086
260-70-200	AMD-P	78-03-095	275-18-080	NEW-P	78-06-009
260-70-200	AMD	78-06-001	275-18-080	NEW	78-08-086
260-70-220	AMD-P	78-03-095	275-18-090	NEW-P	78-06-009
275-14-010	REP-P	78-06-009	275-18-090	NEW	78-08-086
275-14-010	REP	78-08-086	275-18-100	NEW-P	78-06-009
275-14-020	REP-P	78-06-009	275-18-100	NEW	78-08-086
275-14-020	REP	78-08-086	275-18-110	NEW-P	78-06-009
275-14-030	REP-P	78-06-009	275-18-110	NEW	78-08-086
275-14-030	REP	78-08-086	275-18-120	NEW-P	78-06-009
275-14-035	REP-P	78-06-009	275-18-120	NEW	78-08-086
275-14-035	REP	78-08-086	275-18-130	NEW-P	78-06-009
275-14-040	REP-P	78-06-009	275-18-130	NEW	78-08-086
275-14-040	REP	78-08-086	275-18-140	NEW-P	78-06-009
275-14-050	REP-P	78-06-009	275-18-140	NEW	78-08-086
275-14-050	REP	78-08-086	275-18-150	NEW-P	78-06-009
275-14-055	REP-P	78-06-009	275-18-150	NEW	78-08-086
275-14-055	REP	78-08-086	275-18-160	NEW-P	78-06-009
275-14-060	REP-P	78-06-009	275-18-160	NEW	78-08-086
275-14-060	REP	78-08-086	275-18-170	NEW-P	78-06-009
275-14-070	REP-P	78-06-009	275-18-170	NEW	78-08-086
275-14-070	REP	78-08-086	275-18-180	NEW-P	78-06-009
275-14-080	REP-P	78-06-009	275-18-180	NEW	78-08-086
275-14-080	REP	78-08-086	275-18-190	NEW-P	78-06-009
275-14-090	REP-P	78-06-009	275-18-190	NEW	78-08-086
275-14-090	REP	78-08-086	275-18-200	NEW-P	78-06-009
275-14-100	REP-P	78-06-009	275-18-200	NEW	78-08-086
275-14-100	REP	78-08-086	275-20-010	AMD	78-03-029
275-14-110	REP-P	78-06-009	275-20-020	REP	78-03-029
275-14-110	REP	78-08-086	275-20-030	AMD	78-03-029
275-14-120	REP-P	78-06-009	275-20-030	AMD-E	78-08-096
275-14-120	REP	78-08-086	275-20-030	AMD-P	78-08-097
275-14-130	REP-P	78-06-009	275-20-035	NEW	78-03-029
275-14-130	REP	78-08-086	275-20-040	REP	78-03-029
275-14-140	REP-P	78-06-009	275-20-050	REP	78-03-029
275-14-140	REP	78-08-086	275-20-060	REP	78-03-029
275-14-150	REP-P	78-06-009	275-20-070	REP	78-03-029

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
275-32-115	NEW	78-03-030	286-16-020	AMD	78-03-032
275-32-125	NEW	78-03-030	286-16-030	AMD	78-03-032
275-32-135	NEW	78-03-030	286-16-040	AMD	78-03-032
275-32-145	NEW	78-03-030	286-16-070	AMD	78-03-032
275-32-155	NEW	78-03-030	286-16-080	AMD	78-03-032
275-32-165	NEW	78-03-030	286-20-010	AMD	78-03-032
275-32-175	NEW	78-03-030	286-20-030	REP	78-03-032
275-34-010	NEW-P	78-03-117	286-24-010	AMD	78-03-032
275-34-010	NEW	78-05-020	286-24-020	AMD	78-03-032
275-34-020	NEW-P	78-03-117	286-24-040	AMD	78-03-032
275-34-020	NEW	78-05-020	286-26-010	AMD	78-03-032
275-34-030	NEW-P	78-03-117	286-26-020	AMD	78-03-032
275-34-030	NEW	78-05-020	286-26-030	AMD	78-03-032
275-34-040	NEW-P	78-03-117	286-26-040	AMD	78-03-032
275-34-040	NEW	78-05-020	286-26-050	REP	78-03-032
275-34-050	NEW-P	78-03-117	286-26-060	AMD	78-03-032
275-34-050	NEW	78-05-020	286-26-070	AMD	78-03-032
275-34-060	NEW-P	78-03-117	289-02-010	NEW-P	78-08-074
275-34-060	NEW	78-05-020	289-02-020	NEW-P	78-08-074
275-34-070	NEW-P	78-03-117	289-04-010	NEW-P	78-06-077
275-34-070	NEW	78-05-020	289-04-020	NEW-P	78-06-077
275-34-080	NEW-P	78-03-117	289-04-030	NEW-P	78-06-077
275-34-080	NEW	78-05-020	289-04-040	NEW-P	78-06-077
275-34-090	NEW-P	78-03-117	289-06-010	NEW-P	78-06-077
275-34-090	NEW	78-05-020	289-06-020	NEW-P	78-06-077
275-34-100	NEW-P	78-03-117	289-06-030	NEW-P	78-06-077
275-34-100	NEW	78-05-020	289-06-040	NEW-P	78-06-077
275-34-110	NEW-P	78-03-117	289-06-050	NEW-P	78-06-077
275-34-110	NEW	78-05-020	289-06-060	NEW-P	78-06-077
275-82-015	AMD-P	78-08-018	289-06-070	NEW-P	78-06-077
275-82-025	AMD-P	78-08-018	289-06-080	NEW-P	78-06-077
275-82-030	AMD-P	78-08-018	289-06-090	NEW-P	78-06-077
284-30-300	NEW-P	78-06-028	289-06-100	NEW-P	78-06-077
284-30-300	NEW	78-08-082	289-12-010	NEW-P	78-08-074
284-30-310	NEW-P	78-06-028	289-12-020	NEW-P	78-08-074
284-30-310	NEW	78-08-082	289-12-030	NEW-P	78-08-074
284-30-320	NEW-P	78-06-028	289-12-040	NEW-P	78-08-074
284-30-320	NEW	78-08-082	289-14-005	NEW-P	78-08-074
284-30-330	NEW-P	78-06-028	289-14-010	NEW-P	78-08-074
284-30-330	NEW	78-08-082	289-14-020	NEW-P	78-08-074
284-30-340	NEW-P	78-06-028	289-14-030	NEW-P	78-08-074
284-30-340	NEW	78-08-082	289-16-010	NEW-P	78-08-074
284-30-350	NEW-P	78-06-028	289-16-020	NEW-P	78-08-074
284-30-350	NEW	78-08-082	289-16-030	NEW-P	78-08-074
284-30-360	NEW-P	78-06-028	289-16-040	NEW-P	78-08-074
284-30-360	NEW	78-08-082	289-18-010	NEW-P	78-08-074
284-30-370	NEW-P	78-06-028	289-18-020	NEW-P	78-08-074
284-30-370	NEW	78-08-082	289-18-030	NEW-P	78-08-074
284-30-380	NEW-P	78-06-028	289-18-040	NEW-P	78-08-074
284-30-380	NEW	78-08-082	289-18-050	NEW-P	78-08-074
284-30-390	NEW-P	78-06-028	289-20-010	NEW-P	78-08-074
284-30-390	NEW	78-08-082	289-20-020	NEW-P	78-08-074
284-30-400	NEW-P	78-06-028	289-20-030	NEW-P	78-08-074
284-30-400	NEW	78-08-082	289-20-040	NEW-P	78-08-074
284-30-410	NEW-P	78-06-028	289-20-050	NEW-P	78-08-074
284-30-410	NEW	78-08-082	289-22-010	NEW-P	78-08-074
284-50-450	NEW-P	78-03-077	289-22-020	NEW-P	78-08-074
284-50-450	NEW	78-05-039	289-24-010	NEW-P	78-08-074
284-50-455	NEW-P	78-03-077	289-24-020	NEW-P	78-08-074
284-50-455	NEW	78-05-039	289-24-030	NEW-P	78-08-074
284-50-460	NEW-P	78-03-077	289-24-040	NEW-P	78-08-074
284-50-460	NEW	78-05-039	289-24-050	NEW-P	78-08-074
284-50-460	AMD-P	78-06-071	296-04-160	AMD-P	78-06-012
284-50-460	AMD	78-08-024	296-04-160	AMD-P	78-09-113
284-50-465	NEW-P	78-03-077	296-04-165	NEW-P	78-06-012
284-50-465	NEW	78-05-039	296-04-165	NEW-P	78-09-113
286-04-020	AMD	78-03-032	296-04-275	NEW-P	78-06-012
286-04-060	NEW-P	78-02-101	296-04-275	NEW	78-09-056
286-04-060	NEW	78-03-032	296-04-275	AMD-P	78-09-113
286-06-020	AMD	78-03-032	296-04-300	AMD-P	78-09-061
286-06-040	AMD	78-03-032	296-04-300	AMD-E	78-09-063
286-06-060	AMD	78-03-032	296-04-330	AMD-P	78-09-061
286-06-140	AMD	78-03-032	296-04-330	AMD-E	78-09-063
286-16-010	AMD	78-03-032	296-04-340	AMD-P	78-09-061

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
296-37-071	REP-P	78-04-079	296-37-450	REP-E	78-09-060
296-37-071	REP-E	78-06-016	296-37-460	REP-P	78-04-079
296-37-071	REP-E	78-09-060	296-37-460	REP-E	78-06-016
296-37-072	REP-P	78-04-079	296-37-460	REP-E	78-09-060
296-37-072	REP-E	78-06-016	296-37-510	NEW-P	78-04-079
296-37-072	REP-E	78-09-060	296-37-510	NEW-E	78-06-016
296-37-080	REP-P	78-04-079	296-37-510	NEW-E	78-09-060
296-37-080	REP-E	78-06-016	296-37-515	NEW-P	78-04-079
296-37-080	REP-E	78-09-060	296-37-515	NEW-E	78-06-016
296-37-081	REP-P	78-04-079	296-37-515	NEW-E	78-09-060
296-37-081	REP-E	78-06-016	296-37-520	NEW-P	78-04-079
296-37-081	REP-E	78-09-060	296-37-520	NEW-E	78-06-016
296-37-082	REP-P	78-04-079	296-37-520	NEW-E	78-09-060
296-37-082	REP-E	78-06-016	296-37-525	NEW-P	78-04-079
296-37-082	REP-E	78-09-060	296-37-525	NEW-E	78-06-016
296-37-090	REP-P	78-04-079	296-37-525	NEW-E	78-09-060
296-37-090	REP-E	78-06-016	296-37-530	NEW-P	78-04-079
296-37-090	REP-E	78-09-060	296-37-530	NEW-E	78-06-016
296-37-100	REP-P	78-04-079	296-37-530	NEW-E	78-09-060
296-37-100	REP-E	78-06-016	296-37-535	NEW-P	78-04-079
296-37-100	REP-E	78-09-060	296-37-535	NEW-E	78-06-016
296-37-110	REP-P	78-04-079	296-37-535	NEW-E	78-09-060
296-37-110	REP-E	78-06-016	296-37-540	NEW-P	78-04-079
296-37-110	REP-E	78-09-060	296-37-540	NEW-E	78-06-016
296-37-300	REP-P	78-04-079	296-37-540	NEW-E	78-09-060
296-37-300	REP-E	78-06-016	296-37-545	NEW-P	78-04-079
296-37-300	REP-E	78-09-060	296-37-545	NEW-E	78-06-016
296-37-310	REP-P	78-04-079	296-37-545	NEW-E	78-09-060
296-37-310	REP-E	78-06-016	296-37-550	NEW-P	78-04-079
296-37-310	REP-E	78-09-060	296-37-550	NEW-E	78-06-016
296-37-320	REP-P	78-04-079	296-37-550	NEW-E	78-09-060
296-37-320	REP-E	78-06-016	296-37-555	NEW-P	78-04-079
296-37-320	REP-E	78-09-060	296-37-555	NEW-E	78-06-016
296-37-330	REP-P	78-04-079	296-37-555	NEW-E	78-09-060
296-37-330	REP-E	78-06-016	296-37-560	NEW-P	78-04-079
296-37-330	REP-E	78-09-060	296-37-560	NEW-E	78-06-016
296-37-340	REP-P	78-04-079	296-37-560	NEW-E	78-09-060
296-37-340	REP-E	78-06-016	296-37-565	NEW-P	78-04-079
296-37-340	REP-E	78-09-060	296-37-565	NEW-E	78-06-016
296-37-350	REP-P	78-04-079	296-37-565	NEW-E	78-09-060
296-37-350	REP-E	78-06-016	296-37-570	NEW-P	78-04-079
296-37-350	REP-E	78-09-060	296-37-570	NEW-E	78-06-016
296-37-360	REP-P	78-04-079	296-37-570	NEW-E	78-09-060
296-37-360	REP-E	78-06-016	296-37-575	NEW-P	78-04-079
296-37-360	REP-E	78-09-060	296-37-575	NEW-E	78-06-016
296-37-380	REP-P	78-04-079	296-37-580	NEW-E	78-09-060
296-37-380	REP-E	78-06-016	296-37-580	NEW-P	78-04-079
296-37-380	REP-E	78-09-060	296-37-580	NEW-E	78-06-016
296-37-390	REP-P	78-04-079	296-37-585	NEW-E	78-09-060
296-37-390	REP-E	78-06-016	296-46-110	AMD	78-02-098
296-37-390	REP-E	78-09-060	296-46-140	AMD	78-02-098
296-37-395	REP-P	78-04-079	296-46-150	AMD	78-02-098
296-37-395	REP-E	78-06-016	296-46-200	AMD	78-02-098
296-37-395	REP-E	78-09-060	296-46-220	AMD	78-02-098
296-37-400	REP-P	78-04-079	296-46-242	NEW	78-02-098
296-37-400	REP-E	78-06-016	296-46-244	NEW	78-02-098
296-37-400	REP-E	78-09-060	296-46-250	REP	78-02-098
296-37-410	REP-P	78-04-079	296-46-260	REP	78-02-098
296-37-410	REP-E	78-06-016	296-46-265	REP	78-02-098
296-37-410	REP-E	78-09-060	296-46-270	AMD	78-02-098
296-37-420	REP-P	78-04-079	296-46-320	REP	78-02-098
296-37-420	REP-E	78-06-016	296-46-350	AMD	78-02-098
296-37-420	REP-E	78-09-060	296-46-390	AMD	78-02-098
296-37-430	REP-P	78-04-079	296-46-400	REP	78-02-098
296-37-430	REP-E	78-06-016	296-46-401	REP	78-02-098
296-37-430	REP-E	78-09-060	296-46-402	REP	78-02-098
296-37-440	REP-P	78-04-079	296-46-424	AMD	78-02-098
296-37-440	REP-E	78-06-016	296-46-425	REP	78-02-098
296-37-440	REP-E	78-09-060	296-46-426	AMD	78-02-098
296-37-450	REP-P	78-04-079	296-46-450	REP	78-02-098
296-37-450	REP-E	78-06-016	296-46-460	REP	78-02-098

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
296-126-206	NEW	78-03-004	297-40-270	REP	78-03-023
296-126-208	NEW	78-03-004	297-40-280	REP	78-03-023
296-126-210	NEW	78-03-004	297-40-290	REP	78-03-023
296-126-212	NEW	78-03-004	297-40-300	REP	78-03-023
296-126-214	NEW	78-03-004	297-40-310	REP	78-03-023
296-126-216	NEW	78-03-004	297-40-320	REP	78-03-023
296-126-218	NEW	78-03-004	297-40-330	REP	78-03-023
296-126-220	NEW	78-03-004	297-40-340	REP	78-03-023
296-126-222	NEW	78-03-004	297-40-350	REP	78-03-023
296-126-224	NEW	78-03-004	297-40-360	REP	78-03-023
296-126-226	NEW	78-03-004	297-40-370	REP	78-03-023
296-305-005	AMD-P	78-04-079	297-40-380	REP	78-03-023
296-305-005	AMD-E	78-05-027	297-40-390	REP	78-03-023
296-305-005	AMD-E	78-08-008	297-40-400	REP	78-03-023
296-305-005	AMD	78-09-092	297-40-410	REP	78-03-023
297-10-010	REP	78-03-023	297-40-420	REP	78-03-023
297-15-010	REP	78-03-023	297-40-430	REP	78-03-023
297-20-010	REP	78-03-023	297-40-440	REP	78-03-023
297-20-020	REP	78-03-023	297-40-450	REP	78-03-023
297-20-030	REP	78-03-023	297-40-460	REP	78-03-023
297-25-010	REP	78-03-023	297-40-470	REP	78-03-023
297-25-020	REP	78-03-023	297-40-480	REP	78-03-023
297-25-030	REP	78-03-023	297-40-490	REP	78-03-023
297-25-040	REP	78-03-023	297-40-500	REP	78-03-023
297-25-050	REP	78-03-023	297-40-510	REP	78-03-023
297-30-010	REP	78-03-023	297-40-520	REP	78-03-023
297-30-020	REP	78-03-023	297-40-530	REP	78-03-023
297-30-030	REP	78-03-023	297-40-540	REP	78-03-023
297-30-040	REP	78-03-023	297-40-550	REP	78-03-023
297-30-050	REP	78-03-023	297-45-010	REP	78-03-023
297-30-060	REP	78-03-023	297-45-020	REP	78-03-023
297-30-070	REP	78-03-023	297-50-010	REP	78-03-023
297-30-080	REP	78-03-023	297-50-020	REP	78-03-023
297-35-010	REP	78-03-023	297-50-030	REP	78-03-023
297-35-020	REP	78-03-023	297-50-040	REP	78-03-023
297-35-030	REP	78-03-023	297-50-050	REP	78-03-023
297-35-040	REP	78-03-023	297-50-060	REP	78-03-023
297-35-050	REP	78-03-023	297-50-070	REP	78-03-023
297-35-060	REP	78-03-023	297-50-080	REP	78-03-023
297-35-070	REP	78-03-023	297-50-090	REP	78-03-023
297-35-080	REP	78-03-023	297-50-100	REP	78-03-023
297-35-090	REP	78-03-023	297-50-110	REP	78-03-023
297-35-100	REP	78-03-023	297-50-120	REP	78-03-023
297-35-110	REP	78-03-023	297-50-130	REP	78-03-023
297-35-120	REP	78-03-023	297-50-140	REP	78-03-023
297-35-130	REP	78-03-023	297-50-150	REP	78-03-023
297-35-140	REP	78-03-023	297-50-160	REP	78-03-023
297-35-150	REP	78-03-023	297-50-170	REP	78-03-023
297-35-160	REP	78-03-023	297-50-180	REP	78-03-023
297-40-010	REP	78-03-023	297-50-190	REP	78-03-023
297-40-040	REP	78-03-023	297-50-200	REP	78-03-023
297-40-050	REP	78-03-023	297-50-210	REP	78-03-023
297-40-060	REP	78-03-023	297-50-220	REP	78-03-023
297-40-070	REP	78-03-023	297-50-230	REP	78-03-023
297-40-080	REP	78-03-023	297-50-240	REP	78-03-023
297-40-090	REP	78-03-023	297-50-250	REP	78-03-023
297-40-100	REP	78-03-023	297-50-260	REP	78-03-023
297-40-110	REP	78-03-023	297-50-270	REP	78-03-023
297-40-120	REP	78-03-023	297-55-010	REP	78-03-023
297-40-130	REP	78-03-023	297-55-020	REP	78-03-023
297-40-140	REP	78-03-023	297-55-030	REP	78-03-023
297-40-150	REP	78-03-023	297-55-040	REP	78-03-023
297-40-160	REP	78-03-023	297-55-050	REP	78-03-023
297-40-170	REP	78-03-023	297-55-060	REP	78-03-023
297-40-180	REP	78-03-023	297-55-070	REP	78-03-023
297-40-190	REP	78-03-023	297-55-080	REP	78-03-023
297-40-200	REP	78-03-023	297-55-090	REP	78-03-023
297-40-210	REP	78-03-023	297-55-100	REP	78-03-023
297-40-220	REP	78-03-023	297-55-110	REP	78-03-023
297-40-230	REP	78-03-023	297-55-120	REP	78-03-023
297-40-240	REP	78-03-023	297-55-130	REP	78-03-023
297-40-250	REP	78-03-023	297-55-140	REP	78-03-023
297-40-260	REP	78-03-023	297-55-990	REP	78-03-023
297-40-265	REP	78-03-023	297-60-010	REP	78-03-023

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
308-120-420	NEW-P	78-06-119	308-200-245	REP	78-09-002
308-120-420	NEW-P	78-08-115	308-200-260	REP-P	78-05-038
308-120-430	NEW-P	78-03-068	308-200-260	REP	78-09-002
308-120-430	NEW-P	78-06-119	308-200-270	REP-P	78-05-038
308-120-430	NEW-P	78-08-115	308-200-270	REP	78-09-002
308-120-440	NEW-P	78-03-068	308-200-300	REP-P	78-05-038
308-120-440	NEW-P	78-06-119	308-200-300	REP	78-09-002
308-120-440	NEW-P	78-08-115	308-200-305	REP-P	78-05-038
308-120-450	NEW-P	78-03-068	308-200-305	REP	78-09-002
308-122-200	AMD-P	78-06-045	308-200-310	REP-P	78-05-038
308-122-210	AMD-P	78-06-045	308-200-310	REP	78-09-002
308-124-021	AMD-P	78-09-124	308-200-320	REP-P	78-05-038
308-124A-010	AMD-P	78-09-124	308-200-320	REP	78-09-002
308-124H-010	AMD-P	78-09-124	308-200-330	REP-P	78-05-038
308-124H-020	AMD-P	78-09-124	308-200-330	REP	78-09-002
308-124H-030	AMD-P	78-09-124	308-200-340	REP-P	78-05-038
308-124H-040	AMD-P	78-09-124	308-200-340	REP	78-09-002
308-124H-050	AMD-P	78-09-124	308-200-345	REP-P	78-05-038
308-124H-055	NEW-P	78-09-124	308-200-345	REP	78-09-002
308-124H-060	AMD-P	78-09-124	308-200-350	REP-P	78-05-038
308-124H-070	AMD-P	78-09-124	308-200-350	REP	78-09-002
308-128F-020	AMD-P	78-05-086	308-200-355	REP-P	78-05-038
308-128F-020	AMD	78-08-027	308-200-355	REP	78-09-002
308-200-010	REP-P	78-05-038	308-200-360	REP-P	78-05-038
308-200-010	REP	78-09-002	308-200-360	REP	78-09-002
308-200-020	REP-P	78-05-038	308-200-365	REP-P	78-05-038
308-200-020	REP	78-09-002	308-200-365	REP	78-09-002
308-200-025	REP-P	78-05-038	308-200-370	REP-P	78-05-038
308-200-025	REP	78-09-002	308-200-370	REP	78-09-002
308-200-030	REP-P	78-05-038	308-200-375	REP-P	78-05-038
308-200-030	REP	78-09-002	308-200-375	REP	78-09-002
308-200-040	REP-P	78-05-038	308-200-390	REP-P	78-05-038
308-200-040	REP	78-09-002	308-200-390	REP	78-09-002
308-200-050	REP-P	78-05-038	308-200-400	REP-P	78-05-038
308-200-050	REP	78-09-002	308-200-400	REP	78-09-002
308-200-055	REP-P	78-05-038	308-200-405	REP-P	78-05-038
308-200-055	REP	78-09-002	308-200-405	REP	78-09-002
308-200-060	REP-P	78-05-038	308-200-410	REP-P	78-05-038
308-200-060	REP	78-09-002	308-200-410	REP	78-09-002
308-200-100	REP-P	78-05-038	308-200-420	REP-P	78-05-038
308-200-100	REP	78-09-002	308-200-420	REP	78-09-002
308-200-150	REP-P	78-05-038	308-200-425	REP-P	78-05-038
308-200-150	REP	78-09-002	308-200-425	REP	78-09-002
308-200-160	REP-P	78-05-038	308-200-440	REP-P	78-05-038
308-200-160	REP	78-09-002	308-200-440	REP	78-09-002
308-200-170	REP-P	78-05-038	308-200-442	REP-P	78-05-038
308-200-170	REP	78-09-002	308-200-442	REP	78-09-002
308-200-175	REP-P	78-05-038	308-200-444	REP-P	78-05-038
308-200-175	REP	78-09-002	308-200-444	REP	78-09-002
308-200-180	REP-P	78-05-038	308-200-446	REP-P	78-05-038
308-200-180	REP	78-09-002	308-200-446	REP	78-09-002
308-200-190	REP-P	78-05-038	308-200-450	REP-P	78-05-038
308-200-190	REP	78-09-002	308-200-450	REP	78-09-002
308-200-200	REP-P	78-05-038	308-200-455	REP-P	78-05-038
308-200-200	REP	78-09-002	308-200-455	REP	78-09-002
308-200-203	REP-P	78-05-038	308-200-460	REP-P	78-05-038
308-200-203	REP	78-09-002	308-200-460	REP	78-09-002
308-200-205	REP-P	78-05-038	308-200-465	REP-P	78-05-038
308-200-205	REP	78-09-002	308-200-465	REP	78-09-002
308-200-210	REP-P	78-05-038	308-200-470	REP-P	78-05-038
308-200-210	REP	78-09-002	308-200-470	REP	78-09-002
308-200-215	REP-P	78-05-038	308-200-480	REP-P	78-05-038
308-200-215	REP	78-09-002	308-200-480	REP	78-09-002
308-200-220	REP-P	78-05-038	308-200-485	REP-P	78-05-038
308-200-220	REP	78-09-002	308-200-485	REP	78-09-002
308-200-225	REP-P	78-05-038	308-200-490	REP-P	78-05-038
308-200-225	REP	78-09-002	308-200-490	REP	78-09-002
308-200-230	REP-P	78-05-038	308-200-495	REP-P	78-05-038
308-200-230	REP	78-09-002	308-200-495	REP	78-09-002
308-200-235	REP-P	78-05-038	308-200-500	REP-P	78-05-038
308-200-235	REP	78-09-002	308-200-500	REP	78-09-002
308-200-240	REP-P	78-05-038	308-200-510	REP-P	78-05-038
308-200-240	REP	78-09-002	308-200-510	REP	78-09-002
308-200-245	REP-P	78-05-038	308-200-520	REP-P	78-05-038

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
308-200A-180	NEW	78-09-002	308-200A-446	NEW	78-09-002
308-200A-190	NEW-P	78-05-038	308-200A-450	NEW-P	78-05-038
308-200A-190	NEW	78-09-002	308-200A-450	NEW	78-09-002
308-200A-200	NEW-P	78-05-038	308-200A-455	NEW-P	78-05-038
308-200A-200	NEW	78-09-002	308-200A-455	NEW	78-09-002
308-200A-203	NEW-P	78-05-038	308-200A-460	NEW-P	78-05-038
308-200A-203	NEW	78-09-002	308-200A-460	NEW	78-09-002
308-200A-205	NEW-P	78-05-038	308-200A-465	NEW-P	78-05-038
308-200A-205	NEW	78-09-002	308-200A-465	NEW	78-09-002
308-200A-210	NEW-P	78-05-038	308-200A-470	NEW-P	78-05-038
308-200A-210	NEW	78-09-002	308-200A-470	NEW	78-09-002
308-200A-215	NEW-P	78-05-038	308-200A-480	NEW-P	78-05-038
308-200A-215	NEW	78-09-002	308-200A-480	NEW	78-09-002
308-200A-220	NEW-P	78-05-038	308-200A-485	NEW-P	78-05-038
308-200A-220	NEW	78-09-002	308-200A-485	NEW	78-09-002
308-200A-225	NEW-P	78-05-038	308-200A-490	NEW-P	78-05-038
308-200A-225	NEW	78-09-002	308-200A-490	NEW	78-09-002
308-200A-230	NEW-P	78-05-038	308-200A-495	NEW-P	78-05-038
308-200A-230	NEW	78-09-002	308-200A-495	NEW	78-09-002
308-200A-235	NEW-P	78-05-038	308-200A-500	NEW-P	78-05-038
308-200A-235	NEW	78-09-002	308-200A-500	NEW	78-09-002
308-200A-240	NEW-P	78-05-038	308-200A-510	NEW-P	78-05-038
308-200A-240	NEW	78-09-002	308-200A-510	NEW	78-09-002
308-200A-245	NEW-P	78-05-038	308-200A-520	NEW-P	78-05-038
308-200A-245	NEW	78-09-002	308-200A-520	NEW	78-09-002
308-200A-260	NEW-P	78-05-038	308-200A-530	NEW-P	78-05-038
308-200A-260	NEW	78-09-002	308-200A-530	NEW	78-09-002
308-200A-270	NEW-P	78-05-038	308-200A-535	NEW-P	78-05-038
308-200A-270	NEW	78-09-002	308-200A-535	NEW	78-09-002
308-200A-300	NEW-P	78-05-038	308-200A-540	NEW-P	78-05-038
308-200A-300	NEW	78-09-002	308-200A-540	NEW	78-09-002
308-200A-305	NEW-P	78-05-038	308-200A-545	NEW-P	78-05-038
308-200A-305	NEW	78-09-002	308-200A-545	NEW	78-09-002
308-200A-310	NEW-P	78-05-038	308-200A-550	NEW-P	78-05-038
308-200A-310	NEW	78-09-002	308-200A-550	NEW	78-09-002
308-200A-320	NEW-P	78-05-038	308-200A-570	NEW-P	78-05-038
308-200A-320	NEW	78-09-002	308-200A-570	NEW	78-09-002
308-200A-330	NEW-P	78-05-038	308-200A-580	NEW-P	78-05-038
308-200A-330	NEW	78-09-002	308-200A-580	NEW	78-09-002
308-200A-340	NEW-P	78-05-038	308-200A-600	NEW-P	78-05-038
308-200A-340	NEW	78-09-002	308-200A-600	NEW	78-09-002
308-200A-345	NEW-P	78-05-038	308-200A-650	NEW-P	78-05-038
308-200A-345	NEW	78-09-002	308-200A-650	NEW	78-09-002
308-200A-350	NEW-P	78-05-038	308-200A-652	NEW-P	78-05-038
308-200A-350	NEW	78-09-002	308-200A-652	NEW	78-09-002
308-200A-355	NEW-P	78-05-038	308-200A-660	NEW-P	78-05-038
308-200A-355	NEW	78-09-002	308-200A-660	NEW	78-09-002
308-200A-360	NEW-P	78-05-038	308-200A-690	NEW-P	78-05-038
308-200A-360	NEW	78-09-002	308-200A-690	NEW	78-09-002
308-200A-365	NEW-P	78-05-038	308-200A-695	NEW-P	78-05-038
308-200A-365	NEW	78-09-002	308-200A-695	NEW	78-09-002
308-200A-370	NEW-P	78-05-038	308-200A-700	NEW-P	78-05-038
308-200A-370	NEW	78-09-002	308-200A-700	NEW	78-09-002
308-200A-375	NEW-P	78-05-038	308-200A-710	NEW-P	78-05-038
308-200A-375	NEW	78-09-002	308-200A-710	NEW	78-09-002
308-200A-390	NEW-P	78-05-038	308-200A-820	NEW-P	78-05-038
308-200A-390	NEW	78-09-002	308-200A-820	NEW	78-09-002
308-200A-400	NEW-P	78-05-038	308-200A-831	NEW-P	78-05-038
308-200A-400	NEW	78-09-002	308-200A-831	NEW	78-09-002
308-200A-405	NEW-P	78-05-038	308-200A-840	NEW-P	78-05-038
308-200A-405	NEW	78-09-002	308-200A-840	NEW	78-09-002
308-200A-410	NEW-P	78-05-038	308-200A-860	NEW-P	78-05-038
308-200A-410	NEW	78-09-002	308-200A-860	NEW	78-09-002
308-200A-420	NEW-P	78-05-038	308-200A-900	NEW-P	78-05-038
308-200A-420	NEW	78-09-002	308-200A-900	NEW	78-09-002
308-200A-425	NEW-P	78-05-038	308-200A-910	NEW-P	78-05-038
308-200A-425	NEW	78-09-002	308-200A-910	NEW	78-09-002
308-200A-440	NEW-P	78-05-038	308-300-030	AMD-P	78-09-103
308-200A-440	NEW	78-09-002	308-300-060	AMD-P	78-09-103
308-200A-442	NEW-P	78-05-038	308-300-110	AMD-P	78-09-103
308-200A-442	NEW	78-09-002	314-16-190	AMD-P	78-05-083
308-200A-444	NEW-P	78-05-038	314-16-190	AMD	78-07-002
308-200A-444	NEW	78-09-002	314-20-030	AMD	78-02-031
308-200A-446	NEW-P	78-05-038	314-20-100	AMD-P	78-02-016
314-20-100	AMD	78-02-056			
314-24-080	AMD-P	78-07-044			
314-24-080	AMD	78-09-012			
314-24-190	AMD-P	78-02-016			
314-24-190	AMD	78-02-056			
314-52-070	AMD-P	78-02-016			
314-52-070	AMD	78-02-056			
314-52-080	AMD	78-02-056			
314-52-090	AMD	78-02-056			
314-52-111	AMD-P	78-02-016			
314-52-111	AMD	78-02-056			
314-52-113	AMD-P	78-02-016			
314-52-113	AMD	78-02-056			
314-52-120	AMD-P	78-02-016			
314-52-120	AMD	78-02-056			
314-62-010	NEW	78-02-039			
314-62-020	NEW	78-02-039			
314-62-020	AMD-P	78-03-005			
314-62-020	AMD	78-05-003			
332-17-010	NEW-P	78-09-120			
332-17-020	NEW-P	78-09-120			
332-17-030	NEW-P	78-09-120			
332-17-100	NEW-P	78-09-120			
332-17-110	NEW-P	78-09-120			
332-17-120	NEW-P	78-09-120			
332-17-130	NEW-P	78-09-120			
332-17-140	NEW-P	78-09-120			
332-17-150	NEW-P	78-09-120			
332-17-160	NEW-P	78-09-120			
332-17-165	NEW-P	78-09-120			
332-17-200	NEW-P	78-09-120			
332-17-300	NEW-P	78-09-120			
332-17-310	NEW-P	78-09-120			
332-17-320	NEW-P	78-09-120			
332-17-340	NEW-P	78-09-120			
332-17-400	NEW-P	78-09-120			
332-17-410	NEW-P	78-09-120			
332-17-420	NEW-P	78-09-120			
332-17-430	NEW-P	78-09-120			
332-17-440	NEW-P	78-09-120			
332-17-450	NEW-P	78-09-120			
332-17-460	NEW-P	78-09-120			
332-24-090	AMD-E	78-04-025			
332-24-090	AMD-E	78-05-014			
332-24-090	AMD-E	78-05-069			
332-26-010	NEW-E	78-08-006			
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332-26-030	NEW-E	78-08-006			
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332-26-050	NEW-E	78-08-006			
332-26-070	NEW-E	78-08-006			
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332-26-503	NEW-E	78-08-087			
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332-26-503	AMD-E	78-09-001			
332-26-503	AMD-E	78-09-007			
332-26-504	NEW-E	78-09-007			
332-26-504	AMD-E	78-09-010			
332-26-504	AMD-E	78-09-014			
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332-26-504	AMD-E	78-09-023			
332-26-504	AMD-E	78-09-025			
332-26-505	NEW-E	78-09-010			
332-26-505	AMD-E	78-09-011			
332-26-505	NEW-E	78-09-023			
332-26-505	AMD-E	78-09-026			
332-26-508	NEW-E	78-05-014			
332-26-508	AMD-E	78-05-069			
332-26-508	AMD-P	78-03-115			
332-40-020	AMD-P	78-05-015			
332-40-037	AMD-P	78-03-115			

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
332-40-037	AMD	78-05-015	332-40-465	AMD	78-05-015
332-40-040	AMD-P	78-03-115	332-40-470	AMD-P	78-03-115
332-40-040	AMD	78-05-015	332-40-470	AMD	78-05-015
332-40-050	AMD-P	78-03-115	332-40-480	AMD-P	78-03-115
332-40-050	AMD	78-05-015	332-40-480	AMD	78-05-015
332-40-055	AMD-P	78-03-115	332-40-500	AMD-P	78-03-115
332-40-055	AMD	78-05-015	332-40-500	AMD	78-05-015
332-40-060	AMD-P	78-03-115	332-40-535	AMD-P	78-03-115
332-40-060	AMD	78-05-015	332-40-535	AMD	78-05-015
332-40-100	AMD-P	78-03-115	332-40-540	AMD-P	78-03-115
332-40-100	AMD	78-05-015	332-40-540	AMD	78-05-015
332-40-170	AMD-P	78-03-115	332-40-545	AMD-P	78-03-115
332-40-170	AMD	78-05-015	332-40-545	AMD	78-05-015
332-40-175	AMD-P	78-03-115	332-40-570	AMD-P	78-03-115
332-40-175	AMD	78-05-015	332-40-570	AMD	78-05-015
332-40-177	AMD-P	78-03-115	332-40-580	AMD-P	78-03-115
332-40-177	AMD	78-05-015	332-40-580	AMD	78-05-015
332-40-180	AMD-P	78-03-115	332-40-600	AMD-P	78-03-115
332-40-180	AMD	78-05-015	332-40-600	AMD	78-05-015
332-40-190	AMD-P	78-03-115	332-40-650	AMD-P	78-03-115
332-40-190	AMD	78-05-015	332-40-650	AMD	78-05-015
332-40-203	AMD-P	78-03-115	332-40-660	AMD-P	78-03-115
332-40-203	AMD	78-05-015	332-40-660	AMD	78-05-015
332-40-205	AMD-P	78-03-115	332-40-690	AMD-P	78-03-115
332-40-205	AMD	78-05-015	332-40-690	AMD	78-05-015
332-40-220	AMD-P	78-03-115	332-40-695	AMD-P	78-03-115
332-40-220	AMD	78-05-015	332-40-695	AMD	78-05-015
332-40-240	AMD-P	78-03-115	332-40-710	NEW-P	78-03-115
332-40-240	AMD	78-05-015	332-40-710	NEW	78-05-015
332-40-260	AMD-P	78-03-115	332-40-800	AMD-P	78-03-115
332-40-260	AMD	78-05-015	332-40-800	AMD	78-05-015
332-40-300	AMD-P	78-03-115	332-40-835	REP-P	78-03-115
332-40-300	AMD	78-05-015	332-40-835	REP	78-05-015
332-40-310	AMD-P	78-03-115	332-100-010	REP-P	78-08-075
332-40-310	AMD	78-05-015	332-100-040	NEW-E	78-06-096
332-40-315	AMD-P	78-03-115	332-100-040	NEW-P	78-08-075
332-40-315	AMD	78-05-015	352-10-010	AMD-P	78-04-089
332-40-320	AMD-P	78-03-115	352-10-010	AMD	78-07-023
332-40-320	AMD	78-05-015	352-10-020	AMD-P	78-04-089
332-40-330	AMD-P	78-03-115	352-10-020	AMD	78-07-023
332-40-330	AMD	78-05-015	352-10-025	AMD-P	78-04-089
332-40-340	AMD-P	78-03-115	352-10-025	AMD	78-07-023
332-40-340	AMD	78-05-015	352-10-040	AMD-P	78-04-089
332-40-345	AMD-P	78-03-115	352-10-040	AMD	78-07-023
332-40-345	AMD	78-05-015	352-10-050	AMD-P	78-04-089
332-40-350	AMD-P	78-03-115	352-10-050	AMD	78-07-023
332-40-350	AMD	78-05-015	352-10-055	AMD-P	78-04-089
332-40-355	AMD-P	78-03-115	352-10-055	AMD	78-07-023
332-40-355	AMD	78-05-015	352-10-060	AMD-P	78-04-089
332-40-360	AMD-P	78-03-115	352-10-060	AMD	78-07-023
332-40-360	AMD	78-05-015	352-10-100	AMD-P	78-04-089
332-40-365	AMD-P	78-03-115	352-10-100	AMD	78-07-023
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332-40-370	AMD-P	78-03-115	352-10-150	AMD	78-07-023
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332-40-405	AMD-P	78-03-115	352-10-170	AMD	78-07-023
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332-40-410	AMD-P	78-03-115	352-10-175	NEW	78-07-023
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332-40-420	AMD-P	78-03-115	352-10-177	AMD	78-07-023
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332-40-440	AMD-P	78-03-115	352-10-180	AMD	78-07-023
332-40-440	AMD	78-05-015	352-10-190	AMD-P	78-04-089
332-40-442	AMD-P	78-03-115	352-10-190	AMD	78-07-023
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332-40-444	AMD	78-05-015	352-10-205	AMD-P	78-04-089
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332-40-450	AMD	78-05-015	352-10-220	AMD-P	78-04-089
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352-10-570	AMD	78-07-023	356-14-200	AMD	78-06-017
352-10-580	AMD-P	78-04-089	356-14-210	AMD-P	78-04-068
352-10-580	AMD	78-07-023	356-14-210	AMD	78-06-017
352-10-600	AMD-P	78-04-089	356-14-270	AMD-P	78-04-068
352-10-600	AMD	78-07-023	356-14-270	AMD	78-06-017
352-10-650	AMD-P	78-04-089	356-15-030	AMD-P	78-02-099
352-10-650	AMD	78-07-023	356-15-030	AMD-P	78-04-018
352-10-660	AMD-P	78-04-089	356-15-030	AMD-P	78-06-018
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352-10-700	AMD-P	78-04-089	356-15-120	AMD-P	78-09-089
352-10-700	AMD	78-07-023	356-18-020	AMD-P	78-02-099
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352-32-250	AMD	78-05-082	356-18-070	AMD	78-06-017
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356-10-030	AMD-P	78-02-100	356-22-130	AMD-P	78-04-068
356-10-030	AMD-P	78-04-018	356-22-130	AMD	78-06-017
356-10-030	AMD-P	78-06-019	356-22-170	AMD-P	78-04-068
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356-10-060	AMD-P	78-02-100	356-30-005	NEW	78-06-017
356-10-060	AMD-P	78-04-018	356-30-015	NEW-P	78-07-056
356-10-060	AMD-P	78-06-019	356-30-015	NEW-P	78-08-083
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356-14-030	AMD-P	78-03-074	356-30-143	AMD-P	78-07-056
356-14-030	AMD	78-05-025	356-30-143	AMD-P	78-08-083
356-14-050	AMD-P	78-03-074	356-30-210	AMD-P	78-08-083
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365-50-300	AMD-P	78-07-020	372-20-040	REP-P	78-09-065
365-50-300	AMD-P	78-08-080	372-20-050	REP-P	78-06-124
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365-50-320	NEW	78-03-065	372-20-055	REP-P	78-09-065
365-50-320	NEW-P	78-04-093	372-20-060	REP-P	78-06-124
365-50-330	NEW	78-03-065	372-20-060	REP-P	78-09-065
365-50-330	NEW-P	78-04-093	372-20-070	REP-P	78-06-124
365-50-340	NEW-P	78-04-093	372-20-070	REP-P	78-09-065
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388-28-515	AMD-P	78-07-022	388-33-577	AMD-P	78-09-075
388-28-530	AMD-E	78-08-014	388-33-595	AMD-E	78-07-069
388-28-530	AMD-P	78-08-017	388-33-595	AMD-P	78-07-071

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
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388-54-480	AMD-E	78-04-007	388-70-044	AMD-P	78-05-094
388-54-480	AMD-E	78-08-015	388-70-044	AMD	78-09-098
388-54-480	AMD-P	78-08-020	388-70-047	AMD-P	78-05-094
388-54-485	AMD-P	78-04-020	388-70-047	AMD	78-09-098
388-54-485	AMD-E	78-04-021	388-70-048	AMD-P	78-05-094
388-54-485	AMD	78-06-086	388-70-048	AMD	78-09-098
388-54-485	AMD-E	78-08-015	388-70-049	REP-P	78-05-094
388-54-485	AMD-P	78-08-020	388-70-049	REP	78-09-098
388-54-500	AMD-E	78-09-037	388-70-051	AMD-P	78-05-094
388-54-500	AMD-P	78-09-048	388-70-051	AMD	78-09-098
388-54-505	AMD-P	78-04-020	388-70-056	AMD-P	78-05-094
388-54-505	AMD-E	78-04-021	388-70-056	AMD	78-09-098
388-54-505	AMD	78-06-086	388-70-066	AMD-P	78-05-094
388-54-505	AMD-E	78-09-037	388-70-066	AMD	78-09-098
388-54-505	AMD-P	78-09-048	388-70-110	REP-P	78-05-094
388-54-507	NEW-E	78-09-037	388-70-110	REP	78-09-098
388-54-507	NEW-P	78-09-048	388-70-111	REP-P	78-05-094
388-54-509	NEW-E	78-09-037	388-70-111	REP	78-09-098
388-54-509	NEW-P	78-09-048	388-70-112	REP-P	78-05-094
388-54-525	AMD-P	78-09-084	388-70-112	REP	78-09-098
388-54-525	AMD-E	78-09-094	388-70-114	REP-P	78-05-094
388-54-535	AMD-P	78-03-118	388-70-114	REP	78-09-098
388-54-535	AMD-E	78-04-007	388-70-116	REP-P	78-05-094
388-54-535	AMD	78-05-064	388-70-116	REP	78-09-098
388-54-540	AMD-P	78-04-020	388-70-118	REP-P	78-05-094
388-54-540	AMD-E	78-04-021	388-70-118	REP	78-09-098
388-54-540	AMD	78-06-086	388-70-160	AMD-P	78-05-094
388-54-540	AMD-E	78-08-015	388-70-160	AMD	78-09-098
388-54-540	AMD-P	78-08-020	388-70-201	REP-P	78-05-094
388-54-595	AMD-P	78-03-118	388-70-201	REP	78-09-098
388-54-595	AMD-E	78-04-007	388-70-211	REP-P	78-05-094
388-54-595	AMD	78-05-064	388-70-211	REP	78-09-098
388-55-010	AMD-P	78-02-072	388-70-221	REP-P	78-05-094
388-55-010	AMD-E	78-02-073	388-70-221	REP	78-09-098
388-55-010	AMD	78-04-037	388-70-230	REP-P	78-05-094
388-63	REP-P	78-07-047	388-70-230	AMD-P	78-07-022
388-63	REP-P	78-08-056	388-70-230	REP	78-09-098
388-63-005	REP-P	78-05-089	388-70-235	REP-P	78-05-094
388-63-010	REP-P	78-05-089	388-70-235	REP	78-09-098
388-63-015	REP-P	78-05-089	388-70-240	REP-P	78-05-094
388-63-020	REP-P	78-05-089	388-70-240	REP	78-09-098
388-63-025	REP-P	78-05-089	388-70-245	REP-P	78-05-094
388-63-030	REP-P	78-05-089	388-70-245	REP	78-09-098
388-63-035	REP-P	78-05-089	388-70-250	REP-P	78-05-094
388-63-040	REP-P	78-05-089	388-70-250	REP	78-09-098
388-63-045	REP-P	78-05-089	388-70-255	REP-P	78-05-094
388-63-050	REP-P	78-05-089	388-70-255	REP	78-09-098
388-63-055	REP-P	78-05-089	388-70-260	REP-P	78-05-094
388-63-060	REP-P	78-05-089	388-70-260	REP	78-09-098
388-63-065	REP-P	78-05-089	388-70-270	REP-P	78-05-094
388-63-070	REP-P	78-05-089	388-70-270	REP	78-09-098
388-63-110	REP-P	78-05-089	388-70-275	REP-P	78-05-094
388-63-120	REP-P	78-05-089	388-70-275	REP	78-09-098
388-63-125	REP-P	78-05-089	388-70-280	REP-P	78-05-094
388-70	AMD-P	78-07-078	388-70-280	REP	78-09-098
388-70	AMD-P	78-08-057	388-70-320	REP-P	78-05-094
388-70-010	AMD-P	78-05-094	388-70-320	REP	78-09-098
388-70-010	AMD	78-09-098	388-70-700	NEW-P	78-05-094
388-70-012	AMD-P	78-05-094	388-70-700	NEW	78-09-098
388-70-012	AMD	78-09-098	388-73	NEW-P	78-07-047
388-70-013	AMD-P	78-05-094	388-73	NEW-P	78-08-056
388-70-013	AMD	78-09-098	388-73-010	NEW-P	78-05-089
388-70-014	REP-P	78-05-094	388-73-012	NEW-P	78-05-089
388-70-014	REP	78-09-098	388-73-014	NEW-P	78-05-089
388-70-016	REP-P	78-05-094	388-73-016	NEW-P	78-05-089
388-70-016	REP	78-09-098	388-73-018	NEW-P	78-05-089
388-70-017	REP-P	78-05-094	388-73-019	NEW-P	78-05-089
388-70-017	REP	78-09-098	388-73-020	NEW-P	78-05-089
388-70-019	REP-P	78-05-094	388-73-022	NEW-P	78-05-089
388-70-019	REP	78-09-098	388-73-024	NEW-P	78-05-089
388-70-022	AMD-P	78-05-094	388-73-026	NEW-P	78-05-089
388-70-022	AMD	78-09-098	388-73-028	NEW-P	78-05-089
388-70-024	AMD-P	78-05-094	388-73-030	NEW-P	78-05-089

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
388-75-675	REP-P	78-05-089	388-86-110	AMD-P	78-08-039
388-75-678	REP-P	78-05-089	388-86-112	AMD	78-02-024
388-75-681	REP-P	78-05-089	388-86-120	AMD	78-02-024
388-75-703	REP-P	78-05-089	388-87-005	AMD-P	78-08-039
388-75-706	REP-P	78-05-089	388-87-012	AMD-P	78-03-007
388-75-709	REP-P	78-05-089	388-87-012	AMD	78-06-087
388-75-712	REP-P	78-05-089	388-87-013	AMD	78-02-024
388-75-715	REP-P	78-05-089	388-87-015	AMD	78-02-024
388-75-718	REP-P	78-05-089	388-87-025	AMD	78-02-024
388-75-721	REP-P	78-05-089	388-87-025	AMD-P	78-03-007
388-75-724	REP-P	78-05-089	388-87-025	AMD	78-06-087
388-75-727	REP-P	78-05-089	388-87-027	AMD	78-02-024
388-75-730	REP-P	78-05-089	388-87-027	AMD-P	78-03-007
388-75-733	REP-P	78-05-089	388-87-027	AMD	78-06-087
388-75-736	REP-P	78-05-089	388-87-070	AMD	78-02-024
388-75-739	REP-P	78-05-089	388-87-080	AMD	78-02-024
388-75-742	REP-P	78-05-089	388-87-090	AMD	78-02-024
388-75-745	REP-P	78-05-089	388-87-095	AMD	78-02-024
388-75-748	REP-P	78-05-089	388-87-100	REP-P	78-08-039
388-75-751	REP-P	78-05-089	388-88-001	AMD-E	78-04-058
388-75-754	REP-P	78-05-089	388-88-001	AMD-P	78-04-097
388-75-757	REP-P	78-05-089	388-88-001	AMD	78-06-080
388-75-760	REP-P	78-05-089	388-88-007	NEW-E	78-04-058
388-75-763	REP-P	78-05-089	388-88-007	NEW-P	78-04-097
388-75-766	REP-P	78-05-089	388-88-007	NEW	78-06-080
388-75-769	REP-P	78-05-089	388-88-051	NEW-E	78-04-058
388-75-772	REP-P	78-05-089	388-88-051	NEW-P	78-04-097
388-75-775	REP-P	78-05-089	388-88-051	NEW	78-06-080
388-75-778	REP-P	78-05-089	388-88-082	NEW-E	78-04-058
388-75-781	REP-P	78-05-089	388-88-082	NEW-P	78-04-097
388-75-784	REP-P	78-05-089	388-88-086	NEW-E	78-04-058
388-75-787	REP-P	78-05-089	388-88-086	NEW-P	78-04-097
388-75-790	REP-P	78-05-089	388-88-086	NEW	78-06-080
388-75-793	REP-P	78-05-089	388-88-088	NEW	78-06-080
388-80-005	AMD-P	78-03-007	388-90-005	REP-P	78-08-039
388-80-005	AMD-E	78-04-098	388-91-010	AMD-P	78-08-039
388-80-005	AMD-P	78-04-099	388-92-015	AMD	78-02-024
388-80-005	AMD	78-06-081	388-92-025	AMD-P	78-08-039
388-81-040	AMD-P	78-08-039	388-92-030	AMD-E	78-08-013
388-81-050	AMD	78-02-024	388-92-030	AMD-P	78-08-016
388-82-005	AMD	78-02-024	388-92-035	AMD-P	78-08-039
388-82-010	AMD-P	78-08-039	388-92-060	AMD-P	78-08-039
388-82-015	AMD	78-02-024	388-92-070	AMD	78-02-024
388-82-030	AMD-P	78-08-039	388-93-040	AMD	78-02-024
388-82-040	REP	78-02-024	388-95-005	AMD-P	78-06-036
388-83-027	REP	78-02-024	388-95-005	AMD	78-09-052
388-83-028	NEW	78-02-024	388-95-010	AMD-P	78-06-036
388-83-030	AMD-P	78-08-039	388-95-010	AMD	78-09-052
388-83-035	AMD-E	78-08-013	388-95-025	AMD-P	78-06-036
388-83-035	AMD-P	78-08-016	388-95-025	AMD	78-09-052
388-85-020	AMD-P	78-08-039	388-95-030	AMD-P	78-06-036
388-86-005	AMD	78-02-024	388-95-030	AMD	78-09-052
388-86-005	AMD-E	78-04-098	388-95-050	REP-P	78-06-036
388-86-005	AMD-P	78-04-099	388-95-050	REP	78-09-052
388-86-005	AMD	78-06-081	388-95-055	AMD-P	78-06-036
388-86-008	NEW	78-02-024	388-95-055	AMD	78-09-052
388-86-012	AMD	78-02-024	388-95-060	AMD-P	78-06-036
388-86-020	AMD	78-02-024	388-95-060	AMD	78-09-052
388-86-023	AMD	78-02-024	388-95-065	AMD-P	78-06-036
388-86-030	AMD-P	78-03-007	388-95-065	AMD	78-09-052
388-86-030	AMD	78-06-087	388-95-070	AMD-P	78-06-036
388-86-040	AMD	78-02-024	388-95-070	AMD	78-09-052
388-86-045	AMD	78-02-024	388-95-075	AMD-P	78-06-036
388-86-050	AMD	78-02-024	388-95-075	AMD	78-09-052
388-86-050	AMD-P	78-03-007	388-95-210	AMD-P	78-06-036
388-86-050	AMD	78-06-087	388-95-210	AMD	78-09-052
388-86-067	AMD-P	78-08-039	388-95-225	AMD-P	78-06-036
388-86-070	REP	78-02-024	388-95-225	AMD	78-09-052
388-86-090	AMD	78-02-024	388-95-250	REP-P	78-06-036
388-86-095	AMD	78-02-024	388-95-250	REP	78-09-052
388-86-095	AMD-P	78-08-039	388-95-255	AMD-P	78-06-036
388-86-098	AMD	78-02-024	388-95-255	AMD	78-09-052
388-86-100	AMD	78-02-024	388-95-260	AMD-P	78-06-036
388-86-100	AMD-P	78-08-039	388-95-260	AMD	78-09-052

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388-96-763	AMD	78-06-080	390-16-220	AMD-P	78-03-075
388-96-766	NEW	78-02-013	390-16-220	AMD-P	78-05-079
388-96-769	NEW	78-02-013	390-16-220	AMD	78-07-037
388-96-772	NEW	78-02-013	390-20-010	REP	78-02-063
388-96-775	NEW	78-02-013	390-20-0101	NEW	78-02-063
388-96-778	NEW	78-02-013	390-20-028	NEW-P	78-06-048
390-04-010	REP-P	78-07-039	390-20-028	NEW-E	78-06-049
390-04-010	REP	78-09-076	390-20-028	NEW	78-08-061
390-04-020	REP-P	78-07-039	390-20-051	NEW-P	78-06-048
390-04-020	REP	78-09-076	390-20-051	NEW-E	78-06-049
390-04-030	REP-P	78-07-039	390-20-051	NEW	78-08-061
390-04-030	REP	78-09-076	390-20-053	NEW-P	78-06-048
390-04-031	REP-P	78-07-039	390-20-053	NEW-E	78-06-049
390-04-031	REP	78-09-076	390-20-053	NEW	78-08-061
390-04-035	REP-P	78-07-039	390-20-055	NEW-P	78-06-048
390-04-035	REP	78-09-076	390-20-055	NEW-E	78-06-049
390-04-036	REP-P	78-07-039	390-20-055	NEW	78-08-061
390-04-036	REP	78-09-076	390-20-120	AMD-P	78-06-048
390-04-037	REP-P	78-07-039	390-20-120	AMD-E	78-06-049
390-04-037	REP	78-09-076	390-20-120	AMD	78-08-061
390-04-038	REP-P	78-07-039	390-20-140	NEW-P	78-03-116
390-04-038	REP	78-09-076	390-20-140	NEW-P	78-05-079
390-04-040	REP-P	78-07-039	390-20-140	NEW	78-07-038
390-04-040	REP	78-09-076	390-20-143	NEW-P	78-03-116
390-04-050	REP-P	78-07-039	390-20-143	NEW-P	78-05-079
390-04-050	REP	78-09-076	390-20-143	NEW	78-07-038
390-04-060	REP-P	78-07-039	390-20-145	NEW-P	78-03-116
390-04-060	REP	78-09-076	390-20-145	NEW-P	78-05-079
390-04-070	REP-P	78-07-039	390-20-145	NEW	78-07-038
390-04-070	REP	78-09-076	391-21-137	NEW-P	78-05-101
390-04-080	REP-P	78-07-039	391-21-137	NEW	78-07-014
390-04-080	REP	78-09-076	391-21-321	NEW-P	78-05-101
390-04-090	REP-P	78-07-039	391-21-321	NEW	78-07-014
390-04-090	REP	78-09-076	391-21-535	NEW-P	78-05-101
390-04-100	REP-P	78-07-039	391-21-535	NEW	78-07-014
390-04-100	REP	78-09-076	391-30-137	NEW-P	78-05-102
390-04-110	REP-P	78-07-039	391-30-137	NEW	78-07-013
390-04-110	REP	78-09-076	391-30-321	NEW-P	78-05-102
390-04-140	REP-P	78-07-039	391-30-321	NEW	78-07-013
390-04-140	REP	78-09-076	391-30-535	NEW-P	78-05-102
390-04-150	REP-P	78-07-039	391-30-535	NEW	78-07-013
390-04-150	REP	78-09-076	391-50-137	NEW-P	78-05-100
390-04-160	REP-P	78-07-039	391-50-137	NEW	78-07-012
390-04-160	REP	78-09-076	391-50-321	NEW-P	78-05-100
390-04-170	REP-P	78-07-039	391-50-321	NEW	78-07-012
390-04-170	REP	78-09-076	391-70-010	NEW-E	78-03-011
390-04-180	REP-P	78-07-039	391-70-010	NEW-E	78-06-007
390-04-180	REP	78-09-076	391-70-010	NEW-E	78-08-048
390-04-190	REP-P	78-07-039	391-70-020	NEW-E	78-03-011
390-04-190	REP	78-09-076	391-70-020	NEW-E	78-06-007
390-04-200	REP-P	78-07-039	391-70-020	NEW-E	78-08-048
390-04-200	REP	78-09-076	391-70-030	NEW-E	78-03-011
390-04-210	REP-P	78-07-039	391-70-030	NEW-E	78-06-007
390-04-210	REP	78-09-076	391-70-030	NEW-E	78-08-048
390-04-215	REP-P	78-07-039	391-70-040	NEW-E	78-03-011
390-04-215	REP	78-09-076	391-70-040	NEW-E	78-06-007
390-04-220	REP-P	78-07-039	391-70-040	NEW-E	78-08-048
390-04-220	REP	78-09-076	391-70-050	NEW-E	78-03-011
390-04-225	REP-P	78-07-039	391-70-050	NEW-E	78-06-007
390-04-225	REP	78-09-076	391-70-050	NEW-E	78-08-048
390-04-230	REP-P	78-07-039	391-70-060	NEW-E	78-06-007
390-04-230	REP	78-09-076	391-70-060	NEW-E	78-08-048
390-04-240	REP-P	78-07-039	391-70-070	NEW-E	78-03-011
390-04-240	REP	78-09-076	391-70-070	NEW-E	78-06-007
390-04-250	REP-P	78-07-039	391-70-070	NEW-E	78-08-048
390-04-250	REP	78-09-076	391-70-080	NEW-E	78-03-011
390-04-260	REP-P	78-07-039	391-70-080	NEW-E	78-06-007
390-04-260	REP	78-09-076	391-70-080	NEW-E	78-08-048
390-04-270	REP-P	78-07-039	391-70-090	NEW-E	78-03-011
390-04-270	REP	78-09-076	391-70-090	NEW-E	78-06-007
390-04-280	REP-P	78-07-039	391-70-090	NEW-E	78-08-048
390-04-280	REP	78-09-076	391-70-100	NEW-E	78-06-007
390-04-290	REP-P	78-07-039	391-70-100	NEW-E	78-08-048

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415-104-640	NEW	78-03-023	415-112-400	NEW	78-03-023	
415-104-644	NEW	78-03-023	415-112-410	NEW	78-03-023	
415-104-648	NEW	78-03-023	415-112-420	NEW	78-03-023	
415-104-650	NEW	78-03-023	415-112-430	NEW	78-03-023	
415-104-660	NEW	78-03-023	415-112-440	NEW	78-03-023	
415-104-663	NEW	78-03-023	415-112-500	NEW	78-03-023	
415-104-666	NEW	78-03-023	415-112-510	NEW	78-03-023	
415-104-668	NEW	78-03-023	415-112-520	NEW	78-03-023	
415-104-670	NEW	78-03-023	415-112-530	NEW	78-03-023	
415-104-680	NEW	78-03-023	415-112-540	NEW	78-03-023	
415-104-684	NEW	78-03-023	415-112-550	NEW	78-03-023	
415-104-688	NEW	78-03-023	415-112-600	NEW	78-03-023	
415-104-690	NEW	78-03-023	415-112-610	NEW	78-03-023	
415-104-700	NEW	78-03-023	415-112-620	NEW	78-03-023	
415-104-705	NEW	78-03-023	415-112-630	NEW	78-03-023	
415-104-710	NEW	78-03-023	415-112-700	NEW	78-03-023	
415-104-715	NEW	78-03-023	415-112-710	NEW	78-03-023	
415-104-720	NEW	78-03-023	419-32-010	NEW-P	78-09-003	
415-104-725	NEW	78-03-023	419-32-020	NEW-P	78-09-003	
415-104-730	NEW	78-03-023	419-32-030	NEW-P	78-09-003	
415-104-740	NEW	78-03-023	419-32-040	NEW-P	78-09-003	
415-104-745	NEW	78-03-023	419-32-050	NEW-P	78-09-003	
415-104-750	NEW	78-03-023	419-32-060	NEW-P	78-09-003	
415-104-755	NEW	78-03-023	419-32-070	NEW-P	78-09-003	
415-108-010	NEW	78-03-023	419-32-080	NEW-P	78-09-003	
415-108-020	NEW	78-03-023	419-32-090	NEW-P	78-09-003	
415-108-030	NEW	78-03-023	419-32-100	NEW-P	78-09-003	
415-108-040	NEW	78-03-023	419-32-110	NEW-P	78-09-003	
415-108-050	NEW	78-03-023	419-32-120	NEW-P	78-09-003	
415-108-060	NEW	78-03-023	419-32-130	NEW-P	78-09-003	
415-108-070	NEW	78-03-023	419-32-140	NEW-P	78-09-003	
415-108-100	NEW	78-03-023	419-32-150	NEW-P	78-09-003	
415-108-110	NEW	78-03-023	419-32-160	NEW-P	78-09-003	
415-108-120	NEW	78-03-023	419-32-170	NEW-P	78-09-003	
415-108-130	NEW	78-03-023	434-24-050	AMD-P	78-05-098	
415-108-150	NEW	78-03-023	434-79-010	NEW-P	78-06-133	
415-108-160	NEW	78-03-023	434-79-010	NEW-E	78-08-031	
415-108-170	NEW	78-03-023	434-79-010	NEW	78-08-032	
415-108-180	NEW	78-03-023	434-80-010	NEW-P	78-07-092	
415-108-190	NEW	78-03-023	434-80-010	NEW-E	78-09-017	
415-108-200	NEW	78-03-023	434-80-010	NEW	78-09-018	
415-108-210	NEW	78-03-023	434-80-020	NEW-P	78-07-092	
415-108-220	NEW	78-03-023	434-80-020	NEW-E	78-09-017	
415-108-230	NEW	78-03-023	434-80-020	NEW	78-09-018	
415-108-240	NEW	78-03-023	434-80-030	NEW-P	78-07-092	
415-108-250	NEW	78-03-023	434-80-030	NEW-E	78-09-017	
415-108-260	NEW	78-03-023	434-80-030	NEW	78-09-018	
415-108-270	NEW	78-03-023	434-80-040	NEW-P	78-07-092	
415-108-280	NEW	78-03-023	434-80-040	NEW-E	78-09-017	
415-108-290	NEW	78-03-023	434-80-040	NEW	78-09-018	
415-108-300	NEW	78-03-023	434-80-050	NEW-P	78-07-092	
415-108-400	NEW	78-03-023	434-80-050	NEW-E	78-09-017	
415-108-410	NEW	78-03-023	434-80-050	NEW	78-09-018	
415-108-420	NEW	78-03-023	434-80-060	NEW-P	78-07-092	
415-108-430	NEW	78-03-023	434-80-060	NEW-E	78-09-017	
415-108-440	NEW	78-03-023	434-80-060	NEW	78-09-018	
415-112-010	NEW	78-03-023	434-80-070	NEW-P	78-07-092	
415-112-020	NEW	78-03-023	434-80-070	NEW-E	78-09-017	
415-112-030	NEW	78-03-023	434-80-070	NEW	78-09-018	
415-112-100	NEW	78-03-023	458-20-119	AMD-P	78-05-072	
415-112-110	NEW	78-03-023	458-20-119	AMD-E	78-05-073	
415-112-200	NEW	78-03-023	458-20-119	AMD	78-07-045	
415-112-210	NEW	78-03-023	458-20-135	AMD-P	78-05-072	
415-112-220	NEW	78-03-023	458-20-135	AMD-E	78-05-073	
415-112-230	NEW	78-03-023	458-20-135	AMD	78-07-045	
415-112-240	NEW	78-03-023	458-20-136	AMD-P	78-05-072	
415-112-250	NEW	78-03-023	458-20-136	AMD-E	78-05-073	
415-112-260	NEW	78-03-023	458-20-136	AMD	78-07-045	
415-112-270	NEW	78-03-023	458-20-154	AMD-P	78-04-104	
415-112-280	NEW	78-03-023	458-20-154	AMD	78-06-083	
415-112-290	NEW	78-03-023	458-20-157	AMD-P	78-05-072	
415-112-300	NEW	78-03-023	458-20-157	AMD-E	78-05-073	
415-112-310	NEW	78-03-023	458-20-157	AMD	78-07-045	
				458-20-161	AMD-P	78-05-072
				458-20-161	AMD-E	78-05-073
				458-20-161	AMD	78-07-045
				458-20-166	AMD-P	78-05-072
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				458-20-176	AMD-P	78-05-072
				458-20-176	AMD-E	78-05-073
				458-20-176	AMD	78-07-045
				458-20-183	AMD-P	78-05-072
				458-20-183	AMD-E	78-05-073
				458-20-183	AMD	78-07-045
				458-20-187	AMD-P	78-05-072
				458-20-187	AMD-E	78-05-073
				458-20-187	AMD	78-07-045
				458-20-188	AMD-P	78-05-072
				458-20-188	AMD-E	78-05-073
				458-20-188	AMD	78-07-045
				458-20-18801	AMD-P	78-05-072
				458-20-18801	AMD-E	78-05-073
				458-20-18801	AMD	78-07-045
				458-20-210	AMD-P	78-05-072
				458-20-210	AMD-E	78-05-073
				458-20-214	AMD	78-07-045
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				458-20-214	AMD	78-07-045
				458-20-244	NEW-P	78-03-070
				458-20-244	NEW	78-05-041
				458-30-035	REP-E	78-05-049
				458-30-035	REP-P	78-05-050
				458-30-035	REP	78-07-027
				458-30-040	REP-E	78-05-049
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				458-30-057	NEW-E	78-05-049
				458-30-057	NEW-P	78-05-050
				458-30-057	NEW	78-07-027
				458-30-065	REP-E	78-05-049
				458-30-065	REP-P	78-05-050
				458-30-065	REP	78-07-027
				458-30-065	AMD	78-05-049
				458-30-065	AMD-P	78-05-050
				458-30-065	AMD-E	78-05-049
				458-30-135	AMD	78-05-049
				458-30-135	AMD-P	78-05-050
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				458-30-146	NEW-P	78-05-050
				458-40-18619	NEW-P	78-05-087
				458-40-18619	NEW	78-07-065
				458-40-18619	NEW-E	78-07-066
				458-40-18619	NEW-E	78-07-066
				458-40-18620	NEW-P	78-05-087
				458-40-18620	NEW	78-07-065
				458-40-18620	NEW-E	78-07-066
				458-40-18620	NEW-E	78-07-066
				458-40-18620	NEW-P	78-05-087
				458-40-18621	NEW	78-07-065
				458-40-18621	NEW-E	78-07-066
				458-40-18621	NEW	78-07-065
				458-40-18621	NEW-E	78-07-066
				458-40-18622	NEW-P	78-05-087
				458-40-18622	NEW	78-07-065
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				458-40-18622	NEW	78-07-065
				458-40-18622	NEW-E	78-07-066

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458-40-18623	NEW-E	78-07-066	462-08-110	REP	78-03-023
458-40-18624	NEW-P	78-05-087	462-08-120	REP	78-03-023
458-40-18624	NEW	78-07-065	462-08-130	REP	78-03-023
458-40-18624	NEW-E	78-07-066	462-08-140	REP	78-03-023
458-40-19000	AMD-P	78-05-087	462-08-230	REP	78-03-023
458-40-19000	AMD	78-07-065	462-08-240	REP	78-03-023
458-40-19000	AMD-E	78-07-066	462-08-250	REP	78-03-023
458-40-19001	AMD-P	78-05-087	462-08-260	REP	78-03-023
458-40-19001	AMD	78-07-065	462-08-270	REP	78-03-023
458-40-19001	AMD-E	78-07-066	462-08-280	REP	78-03-023
458-40-19002	AMD-P	78-05-087	462-08-290	REP	78-03-023
458-40-19002	AMD	78-07-065	462-08-300	REP	78-03-023
458-40-19002	AMD-E	78-07-066	462-08-310	REP	78-03-023
458-40-19003	AMD-P	78-05-087	462-08-320	REP	78-03-023
458-40-19003	AMD	78-07-065	462-08-330	REP	78-03-023
458-40-19003	AMD-E	78-07-066	462-08-340	REP	78-03-023
458-40-19004	AMD-P	78-05-087	462-08-350	REP	78-03-023
458-40-19004	AMD	78-07-065	462-08-360	REP	78-03-023
458-40-19004	AMD-E	78-07-066	462-08-370	REP	78-03-023
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458-52-020	NEW	78-02-052	462-08-390	REP	78-03-023
458-52-030	NEW	78-02-052	462-08-400	REP	78-03-023
458-52-040	NEW	78-02-052	462-08-410	REP	78-03-023
458-52-050	NEW	78-02-052	462-08-420	REP	78-03-023
458-52-060	NEW	78-02-052	462-08-430	REP	78-03-023
458-52-070	NEW	78-02-052	462-08-440	REP	78-03-023
458-52-080	NEW	78-02-052	462-08-450	REP	78-03-023
458-52-090	NEW	78-02-052	462-08-460	REP	78-03-023
458-52-100	NEW	78-02-052	462-08-470	REP	78-03-023
458-52-110	NEW	78-02-052	462-08-480	REP	78-03-023
458-52-120	NEW	78-02-052	462-08-490	REP	78-03-023
458-52-130	NEW	78-02-052	462-08-500	REP	78-03-023
458-52-140	NEW	78-02-052	462-08-510	REP	78-03-023
458-52-150	NEW	78-02-052	462-08-520	REP	78-03-023
458-276-010	NEW	78-02-064	462-08-530	REP	78-03-023
458-276-020	NEW	78-02-064	462-08-540	REP	78-03-023
458-276-030	NEW	78-02-064	462-08-550	REP	78-03-023
458-276-040	NEW	78-02-064	462-08-560	REP	78-03-023
458-276-050	NEW	78-02-064	462-08-570	REP	78-03-023
458-276-060	NEW	78-02-064	462-08-580	REP	78-03-023
458-276-070	NEW	78-02-064	462-08-590	REP	78-03-023
458-276-080	NEW	78-02-064	462-16-010	REP	78-03-023
458-276-090	NEW	78-02-064	462-16-020	REP	78-03-023
458-276-100	NEW	78-02-064	462-20-005	REP	78-03-023
458-276-110	NEW	78-02-064	462-20-010	REP	78-03-023
458-276-120	NEW	78-02-064	462-20-015	REP	78-03-023
458-276-130	NEW	78-02-064	462-20-020	REP	78-03-023
458-276-140	NEW	78-02-064	462-20-025	REP	78-03-023
458-276-150	NEW	78-02-064	462-20-030	REP	78-03-023
462-04-010	REP	78-03-023	462-20-035	REP	78-03-023
462-05-001	REP	78-03-023	462-20-040	REP	78-03-023
462-05-002	REP	78-03-023	462-20-045	REP	78-03-023
462-05-003	REP	78-03-023	462-20-050	REP	78-03-023
462-05-004	REP	78-03-023	462-20-055	REP	78-03-023
462-05-005	REP	78-03-023	462-20-060	REP	78-03-023
462-05-006	REP	78-03-023	462-20-065	REP	78-03-023
462-05-007	REP	78-03-023	462-20-070	REP	78-03-023
462-05-008	REP	78-03-023	462-24-010	REP	78-03-023
462-05-009	REP	78-03-023	462-24-020	REP	78-03-023
462-05-010	REP	78-03-023	462-24-030	REP	78-03-023
462-05-011	REP	78-03-023	462-24-040	REP	78-03-023
462-05-012	REP	78-03-023	462-24-050	REP	78-03-023
462-05-013	REP	78-03-023	462-28-005	REP	78-03-023
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462-08-010	REP	78-03-023	462-28-015	REP	78-03-023
462-08-020	REP	78-03-023	462-28-020	REP	78-03-023
462-08-030	REP	78-03-023	462-28-025	REP	78-03-023
462-08-040	REP	78-03-023	462-28-030	REP	78-03-023
462-08-050	REP	78-03-023	462-28-035	REP	78-03-023
462-08-060	REP	78-03-023	462-28-040	REP	78-03-023
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463-58-020	NEW	78-05-054	478-136-020	AMD-P	78-05-028
463-58-030	NEW-P	78-03-069	478-136-020	AMD	78-07-017
463-58-030	NEW	78-05-054	478-160-125	AMD-P	78-05-013
463-58-040	NEW-P	78-03-069	478-160-125	AMD-P	78-05-026
463-58-040	NEW	78-05-054	478-160-125	AMD	78-07-018
463-58-050	NEW-P	78-03-069	478-160-130	AMD-P	78-05-013
463-58-050	NEW-E	78-04-056	478-160-130	AMD-P	78-05-026
463-58-050	NEW	78-05-054	478-160-130	AMD	78-07-018
463-58-060	NEW-P	78-03-069	478-160-135	REP-P	78-05-013
463-58-060	NEW	78-05-054	478-160-135	REP-P	78-05-026
463-58-070	NEW-P	78-03-069	478-160-135	REP	78-07-018
463-58-070	NEW	78-05-054	478-160-140	AMD-P	78-05-013
463-58-080	NEW-P	78-03-069	478-160-140	AMD-P	78-05-026
463-58-080	NEW	78-05-054	478-160-140	AMD	78-07-018
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468-300-010	NEW-P	78-02-097	478-325-040	AMD-P	78-09-090
468-300-010	NEW	78-06-040	478-325-050	AMD-P	78-09-090
468-300-020	NEW-P	78-02-097	478-325-060	AMD-P	78-09-090
468-300-020	NEW	78-06-040	478-325-070	AMD-P	78-09-090
468-300-030	NEW-P	78-02-097	478-325-080	AMD-P	78-09-090
468-300-030	NEW	78-06-040	478-325-090	AMD-P	78-09-090
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468-300-050	NEW-P	78-02-097	478-325-120	AMD-P	78-09-090
468-300-050	NEW	78-06-040	478-325-130	AMD-P	78-09-090
468-300-060	NEW-P	78-02-097	478-325-140	REP-P	78-09-090
468-300-060	NEW	78-06-040	478-325-150	REP-P	78-09-090
478-116-010	AMD-P	78-05-103	478-325-160	REP-P	78-09-090
478-116-010	AMD	78-07-019	478-325-170	REP-P	78-09-090
478-116-020	AMD-P	78-05-103	478-325-180	REP-P	78-09-090
478-116-020	AMD	78-07-019	478-325-190	REP-P	78-09-090
478-116-050	AMD-P	78-05-103	480-04-100	AMD	78-02-020
478-116-050	AMD	78-07-019	480-08-070	AMD-P	78-03-094
478-116-055	NEW-P	78-05-103	480-08-070	AMD	78-05-037
478-116-055	NEW	78-07-019	480-08-080	AMD-P	78-03-094
478-116-070	AMD-P	78-05-103	480-08-080	AMD	78-05-037
478-116-070	AMD	78-07-019	480-08-100	AMD-P	78-03-094
478-116-080	AMD-P	78-05-103	480-08-100	AMD	78-05-037
478-116-080	AMD	78-07-019	480-62-010	NEW-P	78-03-072
478-116-085	NEW-P	78-05-103	480-62-010	NEW	78-05-053
478-116-085	NEW	78-07-019	480-62-020	NEW-P	78-03-072
478-116-090	AMD-P	78-05-103	480-62-020	NEW	78-05-053
478-116-090	AMD	78-07-019	480-62-030	NEW-P	78-03-072
478-116-095	NEW-P	78-05-103	480-62-030	NEW	78-05-053
478-116-095	NEW	78-07-019	480-62-040	NEW-P	78-03-072
478-116-100	AMD-P	78-05-103	480-62-040	NEW	78-05-053
478-116-100	AMD	78-07-019	480-62-050	NEW-P	78-03-072
478-116-110	AMD-P	78-05-103	480-62-050	NEW	78-05-053
478-116-110	AMD	78-07-019	480-62-060	NEW-P	78-03-072
478-116-120	AMD-P	78-05-103	480-62-060	NEW	78-05-053
478-116-120	AMD	78-07-019	480-62-070	NEW-P	78-03-072
478-116-355	NEW-P	78-05-103	480-62-070	NEW	78-05-053
478-116-355	NEW	78-07-019	490-04A-010	AMD-P	78-06-110
478-116-450	AMD-P	78-05-103	490-04A-040	AMD-P	78-06-110
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478-116-600	AMD	78-06-024	490-12A-052	REP-P	78-06-110
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490-82-100	NEW-P	78-06-110	
490-83-010	NEW-P	78-06-110	
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490-83-050	NEW-P	78-06-110	
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